



FREEDOM OF INFORMATION
AND
PRIVACY ACTS

SUBJECT Millard Dee Gruba

FILE NUMBER 44-XB-28247

SECTION NUMBER 1



FEDERAL BUREAU OF INVESTIGATION

F B I

Date: 2/15/65

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)

TO: DIRECTOR, FBI
 FROM: SAC, LOUISVILLE (44-NEW)
 SUBJECT: [REDACTED]

b7C

MILLARD D. GRUBBS - VICTIM;
 [REDACTED] - VICTIM;
 [REDACTED] - VICTIM;
 [REDACTED] - VICTIM;
 [REDACTED] - VICTIM

CIVIL RIGHTS

On 2/15/65 victim GRUBBS, Chairman of National Law Enforcement Committee (NLEC) Bufile 105-69012, complained he felt subjects are in violation Federal Civil Rights laws, possibly Section 241 and 242, Title 18, USC, because of [REDACTED] having been indicted 2/2/65 by a Jefferson County Grand Jury on charges relating to a false arrest. Indictment grew out of a citizen's arrest made 1/14/65 in Louisville, Ky. by [REDACTED] GOVER and WRIGHT of a H. A. LEWIS of Urban Renewal and Community Development Agency, Louisville, Ky. GOVER and WRIGHT arrested LEWIS

b7C

- 3 - Bureau
 6 - Louisville (1 - 62-996 MILLARD GRUBBS)
 (1 - 157-190 [REDACTED]) (1 - 157-191 [REDACTED])
 (1 - 105-280 NLEC)

WLW/mfm
 (9)

MCT-45 REC-118

44-28247-

b7C

FEB 16 1965

C. G. Wick

EOT-X3

Approved: _____

Special Agent in Charge

Sent _____ M Per _____

9
3
11
4
7

LS 44-NEW

on a warrant charging false swearing, which warrant was signed by all victims.

At time of contact on 2/15/65, GRUBBS advised he felt that in order to have a complete understanding of his complaint, it would be necessary for Agents to have copies of certain documents in his possession and that he would have such documents photostated and also prepare a detailed statement regarding his knowledge of instant matter and anticipated having such material ready for Agents about 2/17/65.

b7C

For further details regarding the citizen's arrest made by [REDACTED] GOVER and WRIGHT, Bureau refer to Louisville airtels and accompanying letterhead memoranda of 1/15/65, 1/27/65 and 2/3/65, (entitled "NLEC, RACIAL MATTERS").

Contact with GRUBBS by Bureau Agents on 2/15/65 was in his office at his home pursuant to his request after he telephonically declined invitation to visit FBI office for interview on the basis he could not be away from his own office because of incoming phone calls and the fact he did not want to remove from his home pertinent documents he felt the Agents should review.

b7C

Upon arrival at GRUBBS' home, Agents found also there [REDACTED] GRUBBS acted as spokesman for the group and as their leader and advisor. GRUBBS said he is more familiar with the incident than any of the other victims and being an attorney, although disbarred, is cognizant of the legal aspects involved. Accordingly, interview with other victims not contemplated at this time.

Meeting between Agents and victims on 2/15/65 was cordial and GRUBBS voluntarily commented he felt the FBI is "a fair organization", and specifically commented with respect to his belief the Director is a fair individual and he, GRUBBS, thoroughly agrees with reported recent statements of the Director with respect to MARTIN LUTHER KING, JR.

LS 44-NEW

Agents explained the position of the FBI with respect to Civil Rights complaints and GRUBBS commented he understood such position.

GRUBBS will be further contacted on 2/17/65 and letterhead memorandum will follow.

F B I

Date: 2/19/65

Transmit the following in _____
(Type in plain text or code)Via AIRTEL AIRMAIL
(Priority)

TO : DIRECTOR, FBI

FROM : SAC, LOUISVILLE (44-643) (P) b7C

SUBJECT: [REDACTED];

b7C

ETAL;
MILLARD D. GRUBBS -
VICTIM; ET AL
CR

Re Louisville airtel, 2/15/65.

Victim GRUBBS was contacted on 2/17/65, for the additional material he had stated on 2/15/65 would be necessary to have a complete understanding of instant complaint. On 2/17/65, GRUBBS stated that due to his being extremely busy in connection with matters pertaining to his [REDACTED] indictment on 2/2/65, by a Jefferson County Grand Jury, he has been unable to have time to gather the necessary material he wishes to present to FBI re captioned matter. He indicated he hoped to have such material ready by 2/19/65.

b7C

GRUBBS was again contacted 2/19/65, and advised that because of additional developments in the matter regarding his [REDACTED] indictment, he wishes to include additional material in his complaint and also has not as yet been able to gather all necessary material with respect to his original complaint. He suggested that he be again contacted on 2/23/65, at which time he felt certain he would have all material ready.

3 - Bureau
2 - Louisville

WLW/fhp

(5)

Approved: [Signature]

Special Agent in Charge

Sent [Signature]

Per [Signature]

LS 44-643

Contact will be had with GRUBBS on 2/23/65, and
a letterhead memorandum will follow.

F B I

Date: 3/1/65

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

TO: DIRECTOR, FBI

FROM: SAC, LOUISVILLE (44-643)

SUBJECT:
 Jefferson Circuit Court,
 Criminal Branch
 Louisville, Ky.
 ET AL
 MILLARD D. GRUBBS - VICTIM
 ET AL
 CIVIL RIGHTS

b7C

Re Louisville airtel and enclosed letterhead
 memoranda dated 2/25/65.

Enclosed are the original and three copies of
 letterhead memoranda regarding captioned matter. Copies
 of the attachments described in the enclosed are attached
 to the original and each copy of the letterhead memoranda.
 A copy of the enclosed has been disseminated locally to
 the USA.

Bureau will be kept advised of any further data
 volunteered by victim GRUBBS in captioned matter.

3 - Bureau (Enc. 4) ENCLOSURE
 2 - Louisville
 WLW/eb
 (5)

REC-56

44-282-473
21 MAR 2 1965

C C - VETER

Approved: 70 MAR 10 1965
 Special Agent in Charge

Sent _____ M Per _____



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Louisville, Kentucky 40202
March 1, 1965

[REDACTED]
Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;

[REDACTED]
Jefferson County, Kentucky;

[REDACTED]
Jefferson County, Kentucky;

[REDACTED]
Urban Renewal and Community
Development, Louisville, Kentucky;
MILLARD D. GRUBBS - VICTIM;

[REDACTED] - VICTIM;

[REDACTED] - VICTIM;

[REDACTED] - VICTIM;

[REDACTED] - VICTIM

CIVIL RIGHTS

Your attention is invited to a memoranda regarding
the captioned matter dated February 25, 1965 at Louisville,
Kentucky.

Attached is a copy of a report of interview with
Millard D. Grubbs, 1427 South 6th Street, Louisville, Kentucky,
on February 25, 1965.

Also attached is a copy of an undated one page docu-
ment headed Court of Appeals of Kentucky - Notice and Copy of
Petition for a Writ of Prohibition, with Supporting Affidavits,
signed Paul B. Wright, John T. Gover, Millard D. Grubbs, Walter
H. Mullikin, and James E. Finch. This document, without

This document contains neither recommendations nor conclusions of
the FBI. It is the property of the FBI and is loaned to your
agency; it and its contents are not to be distributed outside
your agency.

ENCLOSURE

44-28247-3

supporting affidavits was received in the Louisville office of the Federal Bureau of Investigation on February 27, 1965 in an envelope bearing the return address of the National Law Enforcement Committee, 1427 South Sixth Street, Louisville, Kentucky.

FEDERAL BUREAU OF INVESTIGATION

Date March 1, 19651

b7C

MILLARD D. GRUBBS, 1427 South Sixth Street, Louisville, Kentucky, telephonically voluntarily contacted the Louisville Office of the Federal Bureau of Investigation and spoke with Special Agent [REDACTED] GRUBBS referred to his contact with agents of the Louisville Federal Bureau of Investigation Office on February 23, 1965 and advised he wished to furnish the following additional data:

GRUBBS and his co-defendants have prepared a petition for Writ of Prohibition against Judge FRANK A. ROPKE of the Jefferson Circuit Court, Criminal Branch, Louisville, Kentucky, in which GRUBBS intends to file with the Court of Appeals in Frankfort, Kentucky, on Monday, March 1, 1965. GRUBBS said the petition also contains information placing Judge ROPKE on notice that the petition is to be filed on March 1, 1965. He said that Mrs. VIRGINIA GOOSE, a deputy sheriff of Jefferson County, Kentucky, delivered a copy of the document to Judge ROPKE on the afternoon of February 24, 1965.

GRUBBS advised he felt the above document was important in connection with the matter concerning which he had furnished information to the Federal Bureau of Investigation and he was mailing a copy of the document to the Louisville Office of the Federal Bureau of Investigation.

On 2/26/65 at Louisville, Kentucky File # LS 44-643

b7C

by SA [REDACTED] /eb Date dictated 3/1/65

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

44-28247-5
ENCLOSURE

COURT OF APPEALS OF KENTUCKY

Paul B. Wright, John T. Gover,
Millard D. Grubbs, Walter H. Mullikin,
and James E. Finch

Petitioners

V. NOTICE AND COPY OF PETITION FOR A WRIT OF PROHIBITION,
WITH SUPPORTING AFFIDAVITS

Judge Frank A. Ropke,
Presiding Judge, Criminal Branch,
First Division, Jefferson Circuit
Court

Respondant

YOU, Judge Frank A. Ropke, the respondent herein, are hereby given notice that the petitioners, Paul B. Wright, John T. Gover, Millard D. Grubbs, Walter H. Mullikin, and James E. Finch will, on Monday, March 1, 1965, at the hour of 10 A. M., or as soon thereafter as the business of the court will permit, file in the above style case and court, in its courtroom, state capital, Frankfort, Kentucky, a petition for a writ of prohibition against you and ask therein that you be commanded and compelled to allow them and each of them their constitutional and legal rights to act as their own attorneys in the case against them pending in your court, and that you permit them and each of them to file their motion to quash the indictment against them in your court and also to file in said court their affidavit and motion to disqualify you as the presiding judge upon the trial of said case, and that the writ prohibits you from further arbitrary exercise and misuse of judicial power as the said judge in injuring, threatening, oppressing, or intimidating them in the free and full enjoyment and rights under the Constitution and laws of the United States and under the Constitution and Laws of the State of Kentucky and depriving them of any and all of their constitutional and legal rights under said indictment in your court and will continue the same from day to day, Sunday excluded, until the said court can hear and determine the said matter.

We hereby deliver you with this notice, a copy of the said petition for a writ of prohibition, together with the supporting affidavits therefore.

Authorized by Paul B. Wright
John T. Gover
Millard D. Grubbs
Walter H. Mullikin
James E. Finch

ENCLOSURE

44-28247-3

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI *44-28247* DATE: 2/25/65

FROM : *[Signature]* SAC, LOUISVILLE (44-643) (C)

SUBJECT: CHANGED

C
[Redacted]
Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;

[Redacted]
Jefferson County, Kentucky;

[Redacted]
Jefferson County, Kentucky;

[Redacted]
Urban Renewal and Community
Development, Louisville, Kentucky;

MILLARD D. GRUBBS - VICTIM;

[Redacted] - VICTIM;

[Redacted] - VICTIM;

[Redacted] - VICTIM

~~CIVIL RIGHTS~~

See Index
The title is marked changed to add [Redacted]
and [Redacted] as subjects.

Re Louisville airtels, 2/15/65 and 2/19/65.

Enclosed is the original and three (3) copies
of a Letterhead Memorandum regarding captioned matter.
One copy of each of the attachments described in the
enclosed letterhead memorandum is attached to the original
and one copy of the memorandum.

2 - Bureau
5 - Louisville (1 - 44-643)
(1 - 62-996)
(1 - 105-280)
(1 - 157-190)
(1 - 157-191)

WLW/mjr
(7)

REC-28
MCT-42

EX-117

b7C



64 MAR 11 1965

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

*100 CRD
100 CRU
6-94H*

*2-26-65
JJB/nmb*

*2 memo LHM da. 2/25/65
at 15, KY, & the enes,
Klein.*

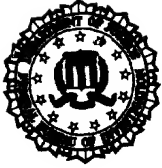
100 Enclosures (10)

EXP. PROC.

LS 44-643

On February 15 and 23, 1965, MILLARD D. GRUBBS was clearly told by interviewing agents that pursuant to instructions of the Acting Assistant Attorney General of the Civil Rights Division of the Department of Justice, a report would promptly be made of his complaint and submitted to the Civil Rights Division, Department of Justice, for a consideration as to whether any Federal action is warranted. He was told that no investigation was being initiated by the FBI pending instructions on the matter from the Civil Rights Division, U. S. Department of Justice. GRUBBS said he understood the FBI's position in this type matter. He further said that if additional pertinent developments occur with respect to the complaint, he intends to keep the Louisville Office of the FBI apprised of such developments.

Any further information furnished by GRUBBS will be promptly made available to the Bureau.



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Louisville, Kentucky
February 25, 1965

[REDACTED]
Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;

[REDACTED]
Jefferson County, Kentucky;

[REDACTED]
Jefferson County, Kentucky;

[REDACTED]
Urban Renewal and Community
Development, Louisville, Kentucky;

MILLARD D. GRUBBS - VICTIM;

[REDACTED] - VICTIM;

[REDACTED] - VICTIM;

[REDACTED] - VICTIM;

[REDACTED] - VICTIM

CIVIL RIGHTS

b7C

Attached is a copy of a report of interview with
Millard D. Grubbs, 1427 South 6th Street, Louisville, Kentucky,
on February 15, 1965. Also attached is one copy of each of
the documents furnished by Mr. Grubbs on February 15, 1965,
as described in the report of interview with him.

This document contains neither recommendations nor conclusions
of the FBI. It is the property of the FBI and is loaned to your
agency; it and its contents are not to be distributed outside
your agency.

44-28247-4
ENCLOSURE

There is also attached a report of interview with Mr. Grubbs on February 23, 1965, as well as one copy of each of the documents furnished on that date by Mr. Grubbs as described in the report of interview.

Date February 17, 1965

1

MILLARD D. GRUBBS was contacted at his home, 1427 South 6th Street, Louisville, Kentucky, pursuant to his request. He was interviewed in the office of the National Law Enforcement Committee (NLEC), located on the Second Floor of his residence. He is National Chairman of the NLEC. Present in the office at the time as introduced by GRUBBS were [redacted]

b7C [redacted] and [redacted] GRUBBS said that [redacted] and [redacted] are members of "my organization"; that [redacted] is not a member, but "is an associate and just hasn't become a member". GRUBBS said he wished to bring to the attention of the Federal Government in behalf of himself and the other individuals introduced by him as well as a [redacted] whom he said is a member of his organization, the following information which GRUBBS and the others believe is a violation of their Civil Rights. GRUBBS mentioned specifically he thought the information reflected a violation of Sections 241 and/or 242 of Title 18, of the United States Code.

An acquaintance and a friend of GRUBBS, CLARENCE DINWIDDIE, owned some property on the southeast corner of 7th and Chestnut Streets, Louisville, Kentucky. DINWIDDIE leased this property to the Phillips Petroleum Company for \$400.00 monthly, who in turn leased the property for \$450.00 monthly to a GARY EMERSON. EMERSON operated a gasoline service station on the premises for approximately ten years. The property involved was in an area being taken over by the Urban Renewal and Community Development Agency of Louisville, Kentucky. DINWIDDIE, who is 86 years of age, and who is substantially wealthy, did not wish to have his property at 7th and Chestnut Streets taken over by the Urban Renewal Agency. DINWIDDIE resisted the efforts of the Urban Renewal Agency to obtain the property and hired an attorney named HENRY HARGADON. HARGADON, however did not actively assist DINWIDDIE and GRUBBS began acting as an attorney-in-fact for DINWIDDIE, GRUBBS not acting as an attorney in view of his disbarment many years ago. GRUBBS in turn hired Attorney JAMES T. ROBERTSON to represent DINWIDDIE. The Urban Renewal Agency succeeded in having condemnation proceedings brought to obtain the property and although outside appraisers had estimated the value of

b7C On 2/15/65 at Louisville, Kentucky File # LS 44-643
by SA [redacted] and
SA [redacted] WLW/mjr Date dictated 2/16/65

LS 44-643

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the property at approximately \$125,000.00 in October, 1963, a jury awarded DINWIDDIE \$77,000.00 for the property. GRUBBS stressed that the fact that DINWIDDIE was awarded less for the property than some appraisers thought it was valued, really was of no concern or interest in this matter as DINWIDDIE did not need the money and wanted to keep the property.

On one occasion when GRUBBS was reviewing the court records with respect to the dispute over the DINWIDDIE property, he noticed that there was no record of the Urban Renewal Agency in instituting condemnation proceedings having ever served notice on GARY EMERSON as to the action contemplated. GRUBBS stated that Section 420 of Chapter 99 of the Kentucky Revised Statutes relates to Kentucky laws regarding slum clearances and includes a provision that with respect to condemnation proceedings, such shall be commenced by filing a petition against any person having any interest in the property concerned. According to the court record the Urban Renewal Agency had when instituting condemnation proceedings, brought suit against the Phillips Petroleum Company and DINWIDDIE, but not EMERSON.

GRUBBS thereafter called the over-sight of not naming EMERSON in the suit to the court's attention by filing a motion to set aside all judgments in this suit, including an interlocutory judgment, which the court had rendered on the basis that all parties of interest had not been properly notified. On July 15, 1964, Judge DOWNING set aside previous judgments in this suit and reset the case for a hearing on October 6, 1964. As of July, 1964, EMERSON was no longer operating a service station on the property involved and as the property was unattended DINWIDDIE had an individual remain on the property to protect it from trespassers. Thereafter, ROBERT ZOLLINGER, Attorney for the Urban Renewal Agency in Louisville complained to Judge DOWNING about Urban Renewal's inability to gain access to the DINWIDDIE property and Judge DOWNING issued a restraining order against DINWIDDIE from interfering with Urban Renewal, stating that in his earlier decision with respect to setting aside previous judgments of the court, he did not mean to set aside the interlocutory judgment.

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The net result of the dispute was that the property was condemned and as mentioned heretofore, DINWIDDIE awarded about \$77,000.00 for the property.

On one occasion when GRUBBS was further reviewing the court records with respect to this dispute of the DINWIDDIE property, which case is styled "Urban Renewal and Community Development Agency of Louisville versus C. R. DINWIDDIE and BELL LEDDELL DINWIDDIE, his wife, 2388 Valley Vista, Louisville, Kentucky, and PHILLIPS PETROLEUM COMPANY, Defendants," GRUBBS noticed that the records reflected that on February 27, 1964, a H. A. LEWIS made an affidavit placed in the records stating that the Phillips Petroleum Company "is the sole lessee of the real property described in the complaint herein"... "GARY EMERSON was commissioned to manage the described property by the Neighborhood Oil Company (an operating agency organized for the purpose of managing the property of the Phillips Petroleum Company) for the purpose of securing the sale of the products of the Phillips Petroleum Company"... "GARY EMERSON is now assigned to the management of another service station belonging to the Phillips Petroleum Company and operated by the Neighborhood Oil Company".

Upon noticing the affidavit of LEWIS which was notarized before Attorney ROBERT ZOLLINGER, who is Attorney for the Urban Renewal Agency, GRUBBS felt "the affidavit was false and a deliberate attempt to obstruct justice" in the case in that in GRUBBS' opinion, and as LEWIS well knew in GRUBBS' opinion, Phillips Petroleum Company was not the sole lessee of the property because GARY EMERSON was also a lessee of the property.

GRUBBS contacted EMERSON and EMERSON told GRUBBS he had leased the property for a period of ten years up to February, 1964. GRUBBS obtained photostats of checks of EMERSON in January, 1963; February, 1963; March, 1963; and May, 1963, reflecting payment of monthly rental to the Neighborhood Oil Company for rental of the property concerned.

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GRUBBS further felt the affidavit of LEWIS was misleading in that it did not identify LEWIS as being an official of the Urban Renewal Agency but rather through its lack of any identification of LEWIS, could lead a person to believe LEWIS was an employee of the Phillips Petroleum Company. GRUBBS felt that LEWIS' action in filing what GRUBBS feels was an entirely false affidavit, was a part of a conspiracy on the part of an authority to obstruct justice in connection with the DINWIDDIE proceedings. GRUBBS therefore decided the proper action for him to take was to have a citizen's arrest made of LEWIS. According to GRUBBS, authority for making a citizen's arrests is long established by common law and specifically in Kentucky is covered by Section 431.005, Sub Section 2 of Kentucky Revised Statute, which in effect states that citizens may make arrests when a felony in fact has been committed and they have reasonable grounds to believe a certain individual committed the felony. In this instance GRUBBS felt the authority for the citizen's arrest was clear and unmistakable in that LEWIS had sworn falsely with respect to the heretofore mentioned affidavit, which crime is a felony. GRUBBS therefore decided that a citizen's arrest should be made of LEWIS and that he be immediately taken before duly constituted authority for arraignment and bond purposes.

GRUBBS in connection with the NLEC has prepared a Warrant of Arrest form headed "National Law Enforcement Committee's Official Warrant of Arrest". The warrant explains it is for use by private persons making arrests when they have reasonable grounds to believe the accused has committed treason, perjury, bribery, conspiracy, sedition, robbery, murder, blackmail, or any other felony. GRUBBS drew up a warrant of the NLEC charging H. A. LEWIS with the crime of false swearing and specifically detailing in the warrant the manner in which the crime was committed. The warrant was signed by GRUBBS, MULLIKIN, FINCH, GOVER and WRIGHT. GOVER and WRIGHT made the arrest of LEWIS on January 14, 1965 in the immediate vicinity of the Jefferson County Courthouse at 6th and Jefferson Streets, Louisville, Kentucky. Immediately upon making the arrest GOVER and WRIGHT took LEWIS to the nearest available Magistrate, that being LUCIEN T. WILCOX, Magistrate of the Third District, Jefferson County, Kentucky. GRUBBS was present in the

Magistrate's Office within two minutes after LEWIS was taken there by GOVER and WRIGHT and to GRUBBS' amazement Judge WILCOX rather than going through the usual procedure of arranging bond for LEWIS delayed proceedings and conferred with Magistrate LEE F. SWAN of the Second District. There was considerable discussion as to what should be done and at one point Magistrate SWAN commented to the effect that it appeared the arrest was in order and might rule in favor of the arresting parties. SWAN commented to the effect "we could have a split decision" meaning that if WILCOX ruled against the arresting parties SWAN could rule in favor of them. However, WILCOX would not go along with any split decision and decided to hold an immediate hearing. GRUBBS protested in that the only purpose of bringing LEWIS before the Magistrate was to afford opportunity for bond and GRUBBS pointed out that the arrest was entirely legal and the arrested person had been immediately brought before the court, the duly constituted authority, which should proceed in a normal manner with respect to any arrested person. WILCOX, however, insisted on a hearing and GOVER and WRIGHT were placed under oath and compelled to testify. During their testimony they both stated that they were not present at the time LEWIS filed the affidavit in question pointing out it was signed in the office of Attorney ZOLLINGER, the attorney for Urban Renewal and naturally GOVER and WRIGHT would not have been present. Judge WILCOX then dismissed the matter terming the arrest illegal in that the arresting parties did not have personal knowledge of LEWIS committing the crime of which he was charged.

Thereafter the Commonwealth Attorney, EDWIN SCHROERING of Louisville, Kentucky, and Jefferson County Assistant Attorney, CECIL DAVENPORT, as well as Attorney ROBERT ZOLLINGER pursued this matter with the result that on February 2, 1965, a Jefferson County Grand Jury indicted, under Kentucky Revised Statute 435.150, GOVER and WRIGHT, charging false arrest and GRUBBS, MULLIKIN and FINCH, charging aiding, abetting, and counseling, in connection with a false arrest.

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GRUBBS and the other defendants are convinced that the indictment against them is unconstitutional and amounts to a matter of "persecution" and a violation of their civil rights.

After having been indicted, GRUBBS and the others presented a petition to quash before Judge FRANK A. ROPKE of Criminal Court in Louisville, Kentucky. A heated dispute arose at this time between GRUBBS and ROPKE as ROPKE would not allow the petition to be filed for no particular reason. ROPKE made some remark to the effect that GRUBBS being a disbarred attorney could not represent the others concerned and when GRUBBS wished to strike the names of the others from the petition and leave only his own, ROPKE would not agree. GRUBBS said that ROPKE's ruling with respect to the filing of this petition is entirely arbitrary and wrong as GRUBBS knows an individual does not have to be an attorney to file petitions in court proceedings and "I've done so many, many times".

As a result of ROPKE's actions, GRUBBS and the others indicted have prepared a motion to be presented to ROPKE, for ROPKE to disqualify himself in connection with any future proceedings in the case. The motion points out that ROPKE as well as Commonwealth Attorney SCHROERING have very bitter feelings against the defendants and because of such prejudices or resentments, ROPKE would not be able to continue any fair hearing on any motion to quash the indictments against the defendants. GRUBBS anticipates that this motion for ROPKE to disqualify himself will be presented to the court on February 16, 1965.

During the interview GRUBBS made available one copy of the following documents;

A copy of an affidavit by H.A. LEWIS dated February 27, 1964 in the matter of Urban Renewal and Community Development Agency of Louisville - Plaintiff, vs. C. R. DINWIDDIE and BELL LEDDELL DINWIDDIE, his wife, 2388 Valley Vista, Louisville, Kentucky, and Phillips Petroleum Company - Defendants, filed in case No. 76627 in the Fourth Division of the Common Pleas Branch, Jefferson Circuit Court, with the following attachments:

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a. An undated document headed "Service Station Lease" reflecting a lease between the Inland Oil Company of Louisville, Kentucky, termed the Lessor, and GARRETTE A. EMERSON, JR., of Louisville, Kentucky, termed the Lessee, covering the lease of property at 601 South 7th Street, Louisville, Kentucky.

b. Photostats of Emerson Service Center Checks No. 7071, dated January 31, 1963; No. 7120, dated February 28, 1963; No. 7162, dated March 29, 1963; and No. 7324, dated May 13, 1963, each in the amount of \$457.73 and each payable to Neighborhood Oil Company and each denoting the payment was for rent.

A document headed National Law Enforcement Committee's Official Warrant of Arrest, undated, charging H. A. LEWIS with the crime of false swearing.

Date February 24, 1965

1

MILLARD D. GRUBBS was contacted at his home, 1427 South 6th Street, Louisville, Kentucky, pursuant to his request. He was interviewed in the office of the National Law Enforcement Committee (NLEC), located on the second floor of his residence. Present also were [redacted] and a young lady doing typist work, who was not introduced. GRUBBS said that since last being contacted on February 15, 1965, he has been busily engaged in preparing additional documents and affidavits in the matter relating to the indictment of himself, JOHN T. GOVER, PAUL B. WRIGHT, JAMES E. FINCH, and WALTER H. MULLIKIN, and he wished to make available for the record a copy of these documents. GRUBBS furnished one copy of each of the following documents:

b7C

1. A letter on the letterhead of the National Law Enforcement Committee, dated February 23, 1965, from MILLARD D. GRUBBS, WALTER H. MULLIKIN, and JOHN T. GOVER, to [redacted], Agent, Federal Bureau of Investigation, Louisville, Kentucky, together with its following described attachments:

a. A copy of an indictment by the February, 1965, Jefferson County, Kentucky Grand Jury, against PAUL B. WRIGHT, JOHN T. GOVER, MILLARD D. GRUBBS, WALTER H. MULLIKIN, and JAMES E. FINCH.

b. A copy of an undated, unsigned, three-page document headed "Commonwealth of Kentucky, Jefferson Circuit Court - Criminal Branch - Motion to Quash the Indictment Herein".

c. A copy of a three-page, undated, unsigned document headed "The Commonwealth of Kentucky, Jefferson Circuit Court - Criminal Branch - Affidavit to Disqualify Judge FRANK A. ROPKE as Presiding Judge Upon the Trial of this Case".

d. A copy of a one-page document signed on February 12, 1965, by TRAVIS A. HENDERSON, headed "The Commonwealth of Kentucky, Jefferson Circuit Court - Criminal Branch - Affidavit in

On 2/23/65 at Louisville, Kentucky File # LS 44-643
by SA [redacted] and WLW/mjr Date dictated 2/24/65
SA [redacted]

b7C

Support of Motion to Disqualify Judge
FRANK A. ROPKE, Regular Presiding Judge".

e. An undated, one-page document signed February 23, 1965, by JOHN T. GOVER and WALTER H. MULLIKIN, headed "Court of Appeals of Kentucky - Affidavit in Support of Petition For a Writ of Prohibition".

f. An undated, two-page document signed February 23, 1965, by WALTER H. MULLIKIN, JOHN T. GOVER, and MILLARD D. GRUBBS, headed "Court of Appeals of Kentucky - Affidavit in Support of Petition For a Writ of Prohibition".

g. An undated, unsigned, two-page document headed "Commonwealth of Kentucky, Jefferson Circuit Court - Criminal Branch" consisting of an affidavit by PAUL B. WRIGHT, the original of which GRUBBS advised WRIGHT has signed.

h. An undated, two-page document signed by MILLARD D. GRUBBS, February 23, 1965, headed "Commonwealth of Kentucky, Jefferson Circuit Court - Criminal Branch", consisting of an affidavit by GRUBBS relating to events occurring on or about February 12, 1965, when GRUBBS appeared in Judge ROPKE's court, and tried to file a Motion to Quash the indictment against GRUBBS.

2. A copy of Pages 1, 2, 3, and 11, of testimony given October, 1964, by GARRETT A. EMERSON, JR., in Case No. 76627, in the Fourth Division, Common Pleas Branch, Jefferson Circuit Court, in the matter relating to Urban Renewal and Community Development - Plaintiff, versus C. R. DINWIDDIE and BELL DINWIDDIE - Defendants.

LS 44-643

3

3. A copy of a three-page letter dated January 16, 1965, from MILLARD D. GRUBBS to the Kentucky Bar Association and our Circuit Judges of Jefferson County and Appellant Judges, Frankfort, Kentucky.

4. A copy of a one-page letter dated January 14, 1965, from MILLARD D. GRUBBS to CARL OUSLEY, Assistant Commonwealth Attorney, Louisville, Kentucky.

5. A copy of a two-page lease entered October 1, 1963, between Neighborhood Oil Company and GARRETT A. EMERSON, JR.

6. A copy of an undated, eleven-page brief distributed by the National Law Enforcement Committee relating to Case No. 76627, concerning the Urban Renewal and Community Development Agency of Louisville, Kentucky - Plaintiff, and C. R. DINWIDDIE and BELLE DINWIDDIE, his wife, - Defendants.

During the interview GRUBBS furnished the following additional information:

He, MULLIKIN and GOVER intend to go to Frankfort, Kentucky, on February 24, 1965, and to file with the Court of Appeals in Frankfort, Kentucky, a Writ of Prohibition with respect to Judge ROPKE having any further connection with proceedings involving the indictment of himself, MULLIKIN, GOVER, WRIGHT and FINCH.

Events which have unfolded, as related by GRUBBS on February 15, 1965, and as shown in the documents he furnished on that date as well as February 23, 1965, in GRUBBS and other defendants opinions clearly indicate a violation of their constitutional rights, and exemplify the corruptness that has entered certain branches of constituted authority. GRUBBS has been told by some lawyers, whom he declined to identify, that the action of H. A. LEWIS in filing the "false" affidavit in the DINWIDDIE case is typical of LEWIS and he has frequently done such in the past in order to expedite and overcome obstacles encountered by Urban Renewal Agency in obtaining

LS 44-643

4

property. GRUBBS directed the arrest of LEWIS by GOVER and WRIGHT on January 14, 1965, and in GRUBBS mind there is not the slightest question as to the legality of the arrest. While GOVER and WRIGHT were the actual individuals arresting LEWIS, GOVER was leader of the two and actually the individual who effected the arrest. Since the arrest it has been called to GRUBBS' attention, by whom he did not say, that GRUBBS had WRIGHT [redacted]

[redacted] make the arrest. GRUBBS said this is not true, that GOVER was actually the individual making the arrest and that WRIGHT went along only because he wanted to be of help. [redacted]

b7C

[redacted] With further reference to WRIGHT, GRUBBS said that WRIGHT's telephone call to Judge ROPKE on February 12, 1965, as described in WRIGHT's affidavit, further described heretofore, was occasioned partially by the fact that WRIGHT was considering employing an attorney named "Stoner from down South" to represent him and was trying to find out from Judge ROPKE if he, WRIGHT, would be allowed to represent himself, thinking that if he obtained permission he could later then have "STONER" represent him.

GRUBBS said that prior to GOVER and WRIGHT arresting LEWIS, he, GRUBBS, had given GOVER and WRIGHT written instructions as to the manner in which the arrest should be made. GRUBBS was not able to immediately locate a copy of such written instructions, but advised that in effect the instructions were that immediately upon apprehending LEWIS, advise him of the charge against him, that anything he said might be used against him, and that he should be taken immediately before the nearest available magistrate and delivered together with the

LS 44-643

5

affidavit constituting the warrant. Further, that GOVER and WRIGHT should use only that force which was necessary to effect the arrest. In this connection, GRUBBS said he understands LEWIS offered no resistance to the arrest.

GRUBBS observed that among the documents he has furnished to Agents in this matter, there is no affidavit from defendant JAMES E. FINCH and this is because FINCH does not live in the Louisville, Kentucky, area but lives "near Indianapolis, Indiana" and primarily because FINCH has not been present at any of the proceedings involved except he did answer to the indictment of February 2, 1965.

GRUBBS said all five defendants in this case when answering to their indictments of February 2, 1965, were placed on \$500.00 cash bond each. No trial date has been set.

GRUBBS characterized the NLEC as follows:

"The NLEC is dedicated to the principles on which this Government was founded and to the defense of such principles with all legal means. It is opposed to the use of any violence as violence breaks down the laws the NLEC was founded to uphold. The NLEC believes the United States is the best country in the World and while its ~~citizens~~ may at times seem to lose their senses with the approach of some new ideas, the people will eventually return to the founding principles of their country".

GRUBBS further said that the NLEC is not an incorporated organization; its headquarters is in Louisville at his residence and he is National Chairman.

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 3/19/65

FROM : *BFB*
WMB SAC, LOUISVILLE (44-643)

SUBJECT:

b7C

Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;
ET AL;
MILLARD D. GRUBBS - VICTIM;
ET AL
CR

Re Louisville airtel and enclosed LHM dated
2/25/65 and 3/1/65.

Enclosed are the original and three copies of
a letterhead memorandum of this date concerning the
captioned matter. One copy of each of the attachments
described in the enclosed is attached to the original and
one copy of the enclosed letterhead memorandum.

A copy of the enclosed has been disseminated
locally to the USA

The Bureau will be kept advised of any further
data received concerning captioned matter.

2-Bureau (Enc. 4)
2-Louisville

WLW/rar
(4)

REC 20

EX. 112

16 MAR 22 1965

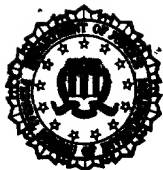
b7C



6 MAR 30 1965

U.S. Savings Bonds Regularly on the Payroll Savings Plan

EXP. PROC. 39



In Reply, Please Refer to
File No.

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Louisville, Kentucky

March 19, 1965

b7C

[redacted]
Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;

[redacted]
Jefferson County, Kentucky;

[redacted]
Jefferson County, Kentucky;

[redacted]
Urban Renewal and Community
Development, Louisville, Kentucky;
Millard D. Grubbs - Victim;

[redacted] - Victim;

[redacted] - Victim;

[redacted] - Victim;

[redacted] - Victim;

Civil Rights

Your attention is invited to memoranda regarding the captioned matter dated February 25, 1965, and March 1, 1965, at Louisville, Kentucky.

b7C

In an envelope postmarked at Louisville, Kentucky, on March 10, 1965, bearing a return address of [redacted] Louisville, Kentucky, a copy of each of the following documents was received at the Louisville Office of the Federal Bureau of Investigation:

A three-page document headed, "Court of Appeals of Kentucky - Affidavit in Support of Petition for a Writ of Prohibition," bearing

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

44-28247-5
ENCLOSURE

the signature of John T. Gover.

A two-page document headed, "Court of Appeals of Kentucky - Affidavit in Support of Petition for a Writ of Prohibition," bearing the signatures Walter H. Mullikin, John T. Gover, and Millard D. Grubbs.

One copy of each of the above described documents is attached to this memorandum.

COURT OF APPEALS OF KENTUCKY

Walter H. Mullikin, Millard D. Grubbs
John T. Gover, James E. Finch, and
Paul B. Wright

Petitioner

V.

AFFIDAVIT
IN SUPPORT OF PETITION FOR A WRIT OF PROHIBITION

Judge Frank A. Ropke
First Division - Criminal Branch
Jefferson Circuit Court

Respondent

The petitioner, John T. Gover, being duly sworn, states as follows:

Several days prior to the arrest of H. A. Lewis, the petitioner, and several others had seen and examined the written lease held by Gary Emerson for the Dinwiddie property involved in the Dinwiddie case brought against him by the Urban Renewal Agency of Louisville, Ky. Moreover petitioner and others had seen and examined the testimony of the said Gary Emerson, given upon the trial of said Dinwiddie case held October 6, 7 & 8, 1964 together with photo copies of four checks the said Gary Emerson had given in payment of rents under the said lease. Furthermore, the petitioner had seen and examined a photo copy of the written lease held by the said Gary Emerson for the property he occupies at the present time located on the Westport Rd., the County of Jefferson, Ky. In addition, the petitioner had seen and examined the affidavit containing the false statement by the said H. A. Lewis regarding the said Emerson lease of the Dinwiddie property, filed March 5, 1964, in the proceedings to condemn and take the Dinwiddie property.

Under the above facts, this petitioner believed, and still believes, that the said H. A. Lewis was guilty of the crime of false swearing in the said affidavit, and that he did it to corrupt the administration of justice and to deceive the Court of Appeals of Kentucky in its decision in the said Dinwiddie case now upon appeal. These are the incontestable truths that caused the arrest of the said H. A. Lewis pursuant to the authority conferred upon this petitioner by KRS Section 431.005 Subsection two.

44-28247-5

ENCLOSURE

XERO COPY

The petitioner further states that he is now and has been for about two years, a member in good standing of The National Law Enforcement Committee, and knows its purposes and has participated in the work of the said organization. That the said organization is dedicated to the defense and preservation of the Constitution and laws of the United States, and to the Constitution and laws of the State of Kentucky. Its a committee that teaches its members and others their rights under these supreme laws and how we can protect and preserve them. It teaches how a private person, under the laws of Kentucky, the Federal Government, and other states may make an arrest of persons guilty of a felony. It teaches the laws relating to the crimes of treason, sedition, bribery, murder, robbery, false swearing, subornation of perjury and others crimes/

The affidavit by H. A. Lewis was filed in the Dinwiddie case to support the following motion made in the said case by one Robert W. Zollinger:

- * Plaintiff, for reply to so much of defendants answer which raised the issue of the interest of one Gary Emerson, states that the said Gary Emerson had no right, title, or interest in the said real property as is attested by the attached affidavit of H. A. Lewis and it therefore moved that defendants Dinwiddie's answer be stricken in its entirety.

Robert W. Zollinger
Attorney For Plaintiff."

Had the magistrate before whom this petitioner took the said H. A. Lewis at time of his arrest ~~before~~ for arraignment and a date for trial & and had Mr. Gary Emerson been subpoenaed and these truths presented to either the said trial court, or to the Grand Jury of Jefferson Ky., it's my opinion, the abbreviated and false lawless indictment against this petitioner and others would never been drawn. Petitioner states that he and the others involved in the matter of arrest of Lewis were denied the right to present the proof on which the said Lewis was arrested to either the said magistrate or to the Grand Jury of Jefferson County, Ky.

John T. Cover
Address, 115 N. Bayly Avenue
Louisville, Kentucky
Tel. 896 - 4407

Certificate

It is hereby certified that a true copy of this affidavit has been delivered to the Respondent herein, by mailing a copy thereof to Judge Frank A. Ropke, the respondent at his office in the Jefferson County Courthouse, Louisville, Ky.

John T. Cover

The affiant John T. Cover says he has read the foregoing statements in the affidavit and they are true to the best of his knowledge and belief

John T. Cover

Subscribed and sworn to before me, this the day of March 1965.

Notary Public in and for Jefferson County, Ky.
My commission expires _____

FILED
MAR 8 1965
DREXELL R. DAVIS
CLERK
COURT OF APPEALS

COURT OF APPEALS OF KENTUCKY

Walter H. Mullikin, John T. Gover,
Millard D. Grubbs, James E. Finch, and
Paul B. Wright

Petitioners

vs

AFFIDAVIT IN SUPPORT OF PETITION FOR A
WRIT OF PROHIBITION

Judge Frank A. Ropke, Judge
Jefferson Circuit Court,
Criminal Branch - First Division

Respondant

On Wednesday, February 17, 1965, after petitioners

Mr. Walter H. Mullikin, and Mr. John T. Gover, had appeared before the respondant, Judge Frank Ropke, and tried to file the motion and affidavit to disqualify him, and have him vacate the Bench upon the trial of said case and was denied the right to do so, by respondant, as set forth in their affidavit filed herewith, the petitioners, Walter H. Mullikin, John T. Gover, and the petitioner Millard D. Grubbs, went to the main office of the Clerk of the Jefferson Circuit Court, and used the time clock in said office to file said motion and affidavit, and then they took said affidavit and motion to the Deputy Clerk's Office of the Criminal Branch of the said court to leave with him, and to their utter amazement, found the respondant Judge Frank Ropke standing guard at said office to try and stop said petitioners from leaving the said affidavit at such office. Mr. John T. Gover started to hand said affidavit and motion to the clerk at the desk in said office, and as he handed it to the said clerk, the respondant Judge Ropke, violently snatched the said affidavit from the hand of the petitioner John T. Gover and with extreme rage yelled: " You are not going to file it." Mr. Millard D. Grubbs stepped forward and in substance replied; " Judge, we have a right to defend ourselves in this matter, and we are going to do it." To which Judge Ropke said: " I will cite you for contempt." To which the said Grubbs answered: " Your court is not in session out here and you have no power to punish for contempt outside the courtroom. You have the motion and affidavit now in your hand - it has been filed and stamped by the time clock in the clerk's office and we have now done everything necessary to its filing. To which the respondant Judge Ropke, in a mighty burst of furious rage shouted: " Somebody call the sheriffs - I will put you all out

of circulation." The sheriffs came, but made no attempt to arrest either of the petitioners. At the time the respondent Judge Frank A. Ropke, was threatening Mr. Grubbs with arrest for contempt, with great and furious violence, he hurled the said motion and affidavit to have him vacate the Bench in the said case, upon the floor of said clerk's office, where we are informed it lay for almost one hour, until the Commonwealth Attorney, Edwin A. Schoering came in and picked it up and carried it away. Our latest information regarding our said motion and affidavit is, that the said commonwealth attorney still has it.

Further the affiants say not.

Walter H. Mullikin
John T. Gover
Millard D. Grubbs

The affiants, Walter H. Mullikin, John T. Gover, and Millard D. Grubbs, say they have read the statements in the foregoing affidavit, and they are true as they verily believe.

Subscribed and sworn to before me by Walter H. Mullikin, John T. Gover, and Millard D. Grubbs, this the 24th day of February, 1965.

Edward E. Evans Jr.
Notary Public in and for Jefferson County, Ky.

My commission expires My Commission Expires June 3, 1966

F B I

Date: 3/31/65

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)

TO: DIRECTOR, FBI

FROM: SAC, LOUISVILLE (44-643) (C)

SUBJECT:
 Jefferson Circuit Court -
 Criminal Branch,
 Louisville, Kentucky;
 ET AL;
 MILLARD D. GRUBBS - VICTIM;
 ET AL
 CR

b7C

Re Louisville airtels and enclosed letterhead memoranda dated 2/15/65, 2/19/65, 2/25/65, 3/1/65 and 3/19/65.

Enclosed are the original and three copies of a LHM of this date concerning captioned matter. One copy of each of the attachments described in the enclosed is attached to the original and one copy of the enclosed LHM.

A copy of the enclosed has been disseminated locally to the USA.

Bureau will be advised of any further data which may be received concerning this matter.

- ③ - Bureau (Encs. 4) ENCLOSURE
 1 - Louisville

WLW/mfm
 (4)

C. C. Wick

ENCLOSURE ATTACHED

REC-120

44-28247-6

3 APR 1 1965

RECEIVED

69 APR 9 1965

Special Agent in Charge

Sent _____ M Per _____



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Louisville, Kentucky
March 31, 1965

b7C

[redacted]
Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;

[redacted]
Jefferson County, Kentucky;

[redacted]
Jefferson County, Kentucky;

[redacted]
Urban Renewal and Community
Development, Louisville, Kentucky;
Millard D. Grubbs - Victim;
[redacted] - Victim;
[redacted] - Victim;
[redacted] - Victim;
[redacted] - Victim
Civil Rights

Attention is invited to memoranda regarding the captioned matter dated February 25, 1965, March 1, 1965, and March 19, 1965.

Attached is a copy of a report of interview with Millard D. Grubbs, 1427 South Sixth Street, Louisville, Kentucky, on March 26, 1965.

Also attached is one copy of each of the following documents received in the Louisville Office of the Federal Bureau of Investigation on March 27, 1965, in an envelope postmarked March 26, 1965, bearing return address of the National Law Enforcement Committee, 1427 South Sixth Street,

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

44-28247-6
ENCLOSURE

Louisville 8, Kentucky:

A one-page document headed "Court of Appeals of Kentucky — Paul B. Wright Et Al, Petitioners, v. Frank A. Ropke, Judge, Respondant."

A four-page document headed "Court of Appeals of Kentucky, W - 93 - 65 — Millard D. Grubbs, John T. Gover, Walter H. Mullikin, and Paul B. Wright, Petitioners vs Judge Frank A. Ropke, Presiding Judge - First Division, Criminal Branch, Jefferson Circuit Court, Respondant."

ENCLOSURE

44 - 28247-60

FEDERAL BUREAU OF INVESTIGATION

Date March 31, 1965

1

MILLARD D. GRUBBS, 1427 South Sixth Street, Louisville, Kentucky, telephonically furnished the following information:

GRUBBS referred to his recent contacts with Agents of the Louisville Office of the Federal Bureau of Investigation concerning a matter relating to his and others' indictment by a Jefferson County Grand Jury on a charge of false arrest and said he wished to furnish the following additional information concerning this matter.

On March 17, 1965 MORRIS C. MONTGOMERY, Judge of the Court of Appeals of Kentucky, had issued an Order temporarily staying any action by Judge FRANK A. ROPKE of the Criminal Branch of the Jefferson Circuit Court, Louisville, Kentucky, in the case involving the indictment of Mr. GRUBBS and others until the Court of Appeals could rule on a motion filed by GRUBBS and others to have Judge ROPKE vacate the bench in connection with this matter, allegedly because of his being biased against Mr. GRUBBS and the other defendants.

Mr. GRUBBS advised he was mailing a copy of Judge MONTGOMERY's Order to the Louisville Office of the Federal Bureau of Investigation.

Mr. GRUBBS further advised that he, JOHN T. GOVER, WALTER H. MULLIKIN and PAUL B. WRIGHT, as Petitioners, have filed with the Court of Appeals of Kentucky a brief in reply to an affidavit submitted by Judge ROPKE to that Court with respect to the motion that Judge ROPKE vacate the bench in connection with the case involving indictment of GRUBBS and the others. Mr. GRUBBS commented that this brief has not been signed by JAMES E. FINCH, one of the individuals also indicted on a charge of false arrest, as FINCH no longer resides or lives in Kentucky and is represented by attorney JAMES T. ROBERTSON of Louisville, Kentucky, who is acting in the interest of FINCH.

On 3/26/65 at Louisville, Kentucky File # LS 44-643

b7C

by SA /mfm Date dictated 3/29/65

Mr. GRUBBS advised he was mailing a copy of the above described brief to the Louisville Office of the Federal Bureau of Investigation.

Mr. GRUBBS further commented that he anticipates the possibility of the Court of Appeals of Kentucky ruling adversely against him and his co-defendants although such ruling, in GRUBBS' opinion, will be entirely contrary to law. He anticipates the possibility of an adverse ruling, however, because he feels the Court of Appeals may be prejudice against him. He explained that a few years back after BURL FARNSLEY, at the time a Circuit Judge in Louisville, Kentucky, had ruled against GRUBBS in a matter pending before FARNSLEY, GRUBBS filed an action in Federal Court in Louisville against FARNSLEY and a number of other individuals at the time prominent, including BRADY STEWART. GRUBBS said that STEWART is currently a member of the Court of Appeals of Kentucky considering the matter currently brought by GRUBBS against Judge ROPKE.

With respect to the matter he previously filed in Court in Louisville, GRUBBS advised Judge ROY M. SHELBOURNE ruled against him and nothing came of the action.

GRUBBS commented that should the current Court of Appeals of Kentucky rule against him in his petition to have Judge ROPKE remove himself from action in the current case involving himself, GRUBBS, and the others, he anticipates filing an action in Federal Court in Louisville to pursue his complaint. Should he receive an adverse ruling in that Court, he anticipates appealing the matter "all the way up to the Supreme Court, if necessary, to get justice." GRUBBS stated that "I am going to fight this crowd all the way, that Lewis (H. A. LEWIS of the Urban Renewal and Development Agency of Louisville, Kentucky) is guilty as charged and instead of letting Gover and Wright present the proof after they arrested Lewis, the crowd ended up indicting me and the others for making arrest." GRUBBS further stated that "I am an ultraconservative and believe strictly in the Constitution and haven't endeared myself to this Socialistic crowd."

Copy

COURT OF APPEALS OF KENTUCKY

PAUL B. WRIGHT ET AL.

PETITIONERS

V.

ORDER

FRANK A. ROPKE, JUDGE

RESPONDANT

It appearing that a matter in the prosecution styled The Commonwealth of Kentucky v. Paul B. Wright et al., Indictment No. 129896, in the Jefferson Circuit Court has been set for hearing on Friday, March 19, 1965, before The Honorable Frank A. Ropke, Judge, Criminal Branch, First Division, it is now ordered that the respondant, Honorable Frank A. Ropke, be temporarily prohibited from hearing said matter or proceeding further in said prosecution until a final disposition of the petition herein has been made.

Done at Frankfort, Kentucky, this 17th day of March, 1965.

Morris C. Montgomery
Judge, Court of Appeals of Kentucky

Copy

COURT OF APPEALS OF KENTUCKY
W - 93 - 65

Millard D. Grubbs, John T. Gover
Walter H. Mullikin, and
Paul B. Wright

Petitioners

vs REPLY BRIEF TO RESPONDANT'S COUNTER-AFFIDAVIT, ETC.

Judge Frank A. Ropke,
Presiding Judge - First Division
Criminal Branch
Jefferson Circuit Court

Respondant

It is difficult to find words to express astonishment at the contention made by respondant in his untimely and belated pleading styled "Counter-Affidavit and Response." In it he says on page 5, line 7: "Mr. Grubbs claims that this court refused to permit him to file a motion to vacate in the Clerk's Office and that this court threw the Motion on the floor and made other prejudiced remarks to Mr. Grubbs."

The respondant, Judge Ropke, should know perfectly well that Mr. Grubbs was not the one who filed the Motion to disqualify him, either when it was offered him in open court by Mr. Walter Mullikin and Mr. John Gover as is established by the affidavit of those petitioners, copy of which was given the respondant, and the original now before this court in this case. Although the occasion at the clerk's office to which the above quotation refers - and not anywhere near Judge Ropke's courtroom, he still refers to himself as the court even though he was not even in his courtroom. Suffice to say here that Mr. Millard Grubbs did not have his hands on the said Motion or affidavit to have the respondant vacate the Bench, at any time the said motion was being offered the respondant while on the Bench in his courtroom by Mr. Gover and Mr. Mullikin or at the clerk's office of the Criminal Branch when the respondant so boisterously snatched it from Mr. Gover's hand and threatening to "cite Mr. Grubbs for contempt - and to put all of us out of circulation," and slammed the motion and affidavit on the floor in a burst of rage.

The pleading styled "Counter-Affidavit and Response, etc." contains little that is different or new from the statements made in the response filed herein by Mr. Schoering. Besides being

inaccurate, both of them seem to have prejudice oozing from almost every letter, syllable, line and paragraph. The reference the respondent makes to (Grubbs vs Smith and Grubbs vs Fox) gives us some idea of the warm feeling of good will the judge has towards Mr. Grubbs. What was the real motive in trying to inject the unfortunate events of almost forty years ago that emerged out of an election, and election contest case, involving issues under which men rarely ever act as proper and thoughtful as they do in more mature years and under more calm and deliberate circumstances? What possible light or help could this extraneous matter shed upon the bias and prejudice of Judge Ropke in this proceeding? Was it made to try and rally behind his cause, the lingering ill will from that unforgettable day of long ago?

The "Counter-Affidavit and Response" asserts the respondent has known Mr. Millard Grubbs for forty years. I recall no occasion when I ever met or was introduced to respondent formally and know as little about him other than what I've learned since this indictment as I think he really knows about me. I do seem to recall his name as ~~to~~ being on a brief for the defendants in a lawsuit I brought in the U. S. District Court in Louisville based upon grievances arising out of the very cases covering the extraneous matter herein above referred to.

What is it that distinguishes the Administration of Justice under the laws of this state and nation, from the terror and firing squads of the communist world? What, but the inalienable rights and liberties of our citizens embedded deep and strong in the Supreme laws of both the National Government and Commonwealth of Kentucky, - basic laws to undergird human freedom by masterpieces of human reasoning founded in the charities of religion; in the philosophy of nature; the truths of history, and the common experiences of life, and guarded by Amendments five and six of the United States Constitution and by Section 26 of the Constitution of Kentucky which declares:

"To guard against transgression of the high powers we have delegated we declare that everything in this Bill or hereafter enacted over of the general

powers of government and shall forever remain inviolate, and all laws contrary thereto or contrary to this Constitution shall be void."

The respondent devotes himself in his "Counter-Affidavit, etc." and seems to be agitated by the fact that in our motion to strike the response filed in this proceeding by Mr. Schoering, we referred to our devotion and loyalty to the Constitution and Laws of this nation. Has it become unfashionable or unseasonable to express love and affection for the faith and laws of our forefathers? - Has it now become out of place in a legal discussion to refer to a reverence for our fundamental laws and rights which in former years held a place in the heart of all patriotic Americans as high as human veneration can look. We do not think so.

The broad powers conferred upon this court by Section 110 of the Constitution of Kentucky gives the court ample room to deal with any question raised in this proceeding by the petition, exhibits, or affidavits and briefs that justice requires such action.

The agitation and unrest which disturb the quiet of the world today and especially the south-land and portend such mighty changes; - when almost every old institution is being blasted down or is under attack and every new one is covered in its cradle with blood, we should pause and reflect upon the inconstancy of human nature and hold fast to those inviolable rights which belong to our people under our great and free principles of local self-government. We should remember that there are few places in the world, where courts are the refuge of oppressed innocence and persecuted truth. In this favored land however, they still stand, thanks be to God. But they stand almost alone and they stand amid world ruin.

Respectfully submitted,

William D. Gault
Walter F. Gault
John T. Gault
Frank B. Gault

CERTIFICATE

It is hereby certified that a true copy of the foregoing Reply Brief has been given the respondent by mailing it to his Attorney of Record herein, Mr. Edwin A. Schoering, Commonwealth Attorney for the Louisville District, Criminal Court Building, Louisville, Kentucky, this the 19th day of March, 1965.

44-28247-6

F B I

Date: 4/2/65

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

TO: DIRECTOR, FBI

FROM: SAC, LOUISVILLE (44-643) (P)

SUBJECT:
Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky,
ET AL;
MILLARD D. GRUBBS -
VICTIM;
ET AL
CR

Re Louisville airtel to Director, dated
March 31, 1965.

On April 2, 1965, the victim GRUBBS, personally
visited Louisville Office and furnished information
concerning further developments occurring in connection
with his indictment on false arrest
charges.

Letterhead memorandum follows.

3-Bureau
2-Louisville
WLW/plh
(5)

100-8-1000

REC-100

44-28247-7

12 APR 5 1965

66 APR 14 1965

Special Agent in Charge

Sent _____ M Per _____

F B I

Date: 4/7/65

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

TO: DIRECTOR, FBI

FROM: SAC, LOUISVILLE (44-643)

SUBJECT:

b7C

Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;
ET AL;
MILLARD D. GRUBBS -
VICTIM;
ET AL
CR

Re Louisville airtel 4/2/65, and Louisville letter
and enclosed LHM 4/7/65.

On 4/7/65, victim MILLARD D. GRUBBS telephonically
contacted this office and advised that on the morning of
4/7/65 JOHN T. GOVER had personally contacted RAY
H. KIRCHDORFER, USC at Louisville, and furnished him with
some papers relating to captioned matter; that according to
GOVER, KIRCHDORFER did not seem to know for what purpose GOVER
was furnishing the papers to him and GOVER informed KIRCHDORFER
he was the Commissioner and should read the papers and might
have something to do in connection with them. GRUBBS said
that KIRCHDORFER told GOVER, "OK."

GRUBBS commented regarding that

3-Bureau
2-Louisville

WLW/rar

645

APR 8 11 21 AM '65

16 APR 8 1965

U APR 15 1965
Special Agent in Charge

Sent _____ M Per _____

LS 44-643

[redacted]
[redacted] GRUBBS said he, [redacted] and rest of [redacted] are convinced their civil rights have been violated and [redacted] has recently indicated dissatisfaction with the efforts to pursue this matter "in the courts." GRUBBS said he has told [redacted] the only way to pursue instant case "is to battle it out through the courts and we will find some way to get justice."

b7C GRUBBS advised that [redacted] has said he, [redacted] "might try to whip the hell out of them." GRUBBS said [redacted] did not name any specific individual and GRUBBS could not state any specific person to whom [redacted] might have been referring. GRUBBS said [redacted] is a "big powerful man and a dangerous man," but he didn't believe "he would try to shoot anyone." GRUBBS said he has told [redacted] he, GRUBBS, will tolerate no violence in instant matter and he doesn't at this time believe [redacted] contemplates violence against anyone. GRUBBS further advised that if he hears of anyone who contemplates violence against another, he will promptly advise SA [redacted] of the Louisville Office and [redacted] in turn can advise the person against whom violence may be indicated and tell that person that GRUBBS was the individual furnishing the information.

Secret Service locally has previously been advised by this office concerning [redacted] refer to Louisville letter to Bureau 5/14/64, Bufile 62-109119, entitled TROPUS, enclosing a copy of a LHM of 1/8/64 regarding [redacted] [redacted] which was disseminated locally to Secret Service on 1/8/64.

The current information re [redacted] as received from GRUBBS is also being made available locally to Secret Service.

LHM will follow.

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 4/7/65

PP
FROM : SAC, LOUISVILLE (44-643) (C)

SUBJECT:

n b7C

Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky,
ET AL;
MILLARD D. GRUBBS -
VICTIM;
ET AL
CR

eff
Re Louisville airtel 4/2/65.

Enclosed are original and ~~three~~ copies of a letterhead memorandum of this date concerning captioned matter. One copy of each of the attachments described in the enclosed is attached to the original and one copy of the enclosed letterhead memorandum.

A copy of the enclosed has been disseminated locally to the United States Attorney.

The Bureau will be advised of any further information which may be received concerning this matter.

2 - Bureau (Enc. 4)
1 - Louisville
WLW/mm

(3)

ENCLOSURE

ENCLOSURE ATTACHED

REC-16

44-28247-9

EX-103

3 APR 8 1965

b7C



APR 19 1965

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

EXP. PROC.



In Reply, Please Refer to
File No.

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Louisville, Kentucky

April 6, 1965

b7C

[REDACTED]
Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;

[REDACTED]
Jefferson County, Kentucky;

[REDACTED]
Jefferson County, Kentucky;

[REDACTED]
Urban Renewal and Community
Development, Louisville, Kentucky;
Millard D. Grubbs - Victim;

[REDACTED] - Victim;

[REDACTED] - Victim;

[REDACTED] - Victim;

[REDACTED] - Victim

Civil Rights

Attention is invited to memoranda regarding the captioned matter dated February 25, 1965, March 1, 1965, March 19, 1965, and March 31, 1965.

Attached is one copy each of reports of three interviews with Millard D. Grubbs, one being conducted on March 31, 1965, and two being conducted on April 2, 1965.

Also attached is one copy of each of the documents described in one of the reports of interview with Mr. Grubbs on April 2, 1965, as made available by Mr. Grubbs on that date.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

44-28247-9
ENCLOSURE

FEDERAL BUREAU OF INVESTIGATION

Date March 31, 1965

MILLARD D. GRUBBS, 1427 South Sixth Street, Louisville, Kentucky, telephonically furnished the following information:

He referred to his telephonic call to the Federal Bureau of Investigation, Louisville Office, on March 26, 1965, and stated he wanted the record in this matter to reflect the following additional developments:

On March 26, 1965, MORRIS C. MONTGOMERY, Judge, Court of Appeals of Kentucky, Frankfort, Kentucky, signed an order ruling against GRUBBS and his codefendants with respect to a petition they had presented to that court to have Judge FRANK A. ROPKE of the Criminal Branch of the Jefferson Circuit Court, Louisville, Kentucky, remove himself from presiding in a matter before that court involving GRUBBS and his codefendants. GRUBBS advised he would mail a copy of Judge MONTGOMERY's ruling, as well as a copy of the petition for writ of prohibition GRUBBS and his codefendants had filed with the Court of Appeals, to the Louisville Office of the Federal Bureau of Investigation. Further, GRUBBS anticipates filing before the Court of Appeals of Kentucky within ten days from the date of Judge MONTGOMERY's ruling a motion requesting the Court of Appeals of Kentucky reconsider this matter.

GRUBBS said that Judge MONTGOMERY's ruling referred to the fact that the petitioners, GRUBBS, et al, have not shown or alleged they have no adequate remedy through appeal from Judge ROPKE's action or will otherwise suffer great and irreparable injury on the part of the possible action by Judge ROPKE.

GRUBBS said that this opinion by Judge MONTGOMERY is erroneous as in their petition to the Court of Appeals, GRUBBS and the others specifically pleaded they would have no adequate remedy by appeal or otherwise and would suffer great and irreparable injury.

On 3/31/65 at Louisville, Kentucky File # LS 44-643

by SA [redacted] / rar Date dictated 3/31/65

44-28241-9
ENCLOSURE

LS 44-643

2

GRUBBS made reference to the recent arrest in Alabama by Federal authorities of four reported members connected with the Ku Klux Klan for the murder of Mrs. VIOLA LIUZEC. He said that according to news accounts, the arrests were made pursuant to the authority in Section 241, Title 18, of the United States Code. GRUBBS said that although the matter of which he is complaining does not involve murder, the principle involved is the same and the provisions of Section 241, Title 18, of the United States Code apply with respect to what GRUBBS and his codefendants feel is a false indictment against them. GRUBBS stated that in his mind there is no question but what the citizen's arrest made by defendants COVER and WRIGHT of H. A. LEWIS with the concurrence of GRUBBS, JAMES G. PINCH, and WALTER MULLIKIN was entirely legal and the fact that the court did not allow defendants COVER and WRIGHT to present proof of the guilt of LEWIS but instead the matter ended up with GRUBBS and the others being indicted on a false arrest charge is clearly in violation of provisions of the Fifth, Sixth, and Fourteenth Amendments of the United States Constitution.

GRUBBS further advised that if the Court of Appeals of Kentucky continues to rule against him, he will file an action in Federal court in Louisville seeking relief. GRUBBS made reference to recent news accounts that the House Committee on Un-American Activity is going to investigate the Ku Klux Klan. In this connection, he said some people have indicated some opposition to this, claiming the House Committee on Un-American Activity should spend its time investigating Communists. GRUBBS said he can not go along with this thinking and he did not consider it "bad" that the Ku Klux Klan is going to be investigated as he certainly does not condone murder or "shooting a person from ambush" and

LS 44-643

firmly believed that if the law had been violated, the violator should be prosecuted, regardless of his identity, his prominence, or his position in Government.

FEDERAL BUREAU OF INVESTIGATION

Date April 5, 19651

MILLARD D. GUNNERS, 1427 South Sixth Street, Louisville, Kentucky, telephonically contacted the Louisville Office of the Federal Bureau of Investigation at 10:50 A.M., April 2, 1965, and spoke with Special Agent [redacted]

b7C

GUNNERS, in a very excitable manner, stated he had just been ordered to appear immediately in criminal court, Louisville, Kentucky, before Judge FRANK A. ROPKE by some individual named ROGERS of the Jefferson County Commonwealth Attorney's Office. GUNNERS was not clear and said he himself did not understand just why he had to appear, mentioning it may have something to do with, "They are going to try to forfeit our bonds," but then stated he didn't know just what the appearance was for. He requested Special Agent [redacted] to proceed at once to Judge ROPKE's court, not for the purpose of participating in any way in the events that would occur there, but rather "to be a witness" as to what might transpire. GUNNERS said this appears to be "just another of ROPKE's high handed actions" and felt the action that might take place would be in further violation of his rights.

b7C

GUNNERS said he could not understand what was happening as the case involving the indictment of himself and others on charges of false arrest, which originated in Judge ROPKE's court, was currently within the jurisdiction of the Court of Appeals of Kentucky in view of GUNNERS's and the others having filed a petition for a writ of prohibition against Judge ROPKE with the Court of Appeals. GUNNERS said that although the Court of Appeals on March 26, 1965, had denied his petition for a writ of prohibition, under the rules of the Court of Appeals, GUNNERS had ten days to file a motion for reconsideration and in fact, such a motion had been filed on the morning of April 2, 1965, and therefore Judge ROPKE had no authority to proceed further in this matter until final decision had been rendered by the Court of Appeals.

On 4/2/65 at Louisville, Kentucky File # LS 44-643

b7C

by SA [redacted] / rer Date dictated 4/2/65

44-28247-9
ENCLOSURE

LS 44-643

2

Special Agent [] advised Mr. GRUBBS that he, [] would not be able to be present at Judge ROPKE's court as requested by GRUBBS, but that a record would be made of the information furnished by GRUBBS in his telephonic conversation with Special Agent []

b7C

FEDERAL BUREAU OF INVESTIGATION

Date April 5, 1965

1

At 1:30 P.M., April 2, 1965, MILLARD D. GRUBBS, 1427 South Sixth Street, and [redacted] Louisville, Kentucky, personally appeared at the Louisville Office of the Federal Bureau of Investigation and contacted Special Agent [redacted] Mr. GRUBBS furnished the following information:

b7C

In accordance with the request he received earlier on April 2, 1965, from the Commonwealth Attorney's Office, he, together with MULLIKIN, appeared in the Criminal Court of Judge FRANK A. ROPKE in Louisville, Kentucky, about 11:30 A.M., April 2, 1965. Present with them was Attorney JAMES T. ROBERTSON. Neither GRUBBS nor MULLIKIN as yet understood just why they had to appear in Judge ROPKE's court, but there was some discussion about the rights of the local court to call a case before it seven days after a decision concerning the case had been rendered by the Court of Appeals. Present in the Courtroom in behalf of the Commonwealth of Kentucky was Commonwealth Attorney EDWARD SCHROCKRING. SCHROCKRING and ROBERTSON had a private conference, during which SCHROCKRING made the offer that if GRUBBS and the other defendants would plead guilty to the charge of false arrest, he, SCHROCKRING, would recommend a penalty of only a year in jail. GRUBBS stated, "This is ridiculous."

GRUBBS pointed out that the Court of Appeals of Kentucky on March 26, 1965, issued an order denying GRUBBS' petition for a writ of prohibition; that Rule 1.430 of the Rules of the Court of Appeals of Kentucky, as amended January 1, 1963, provides that a decision of the court in original proceedings before it shall be by court order, which order becomes effective ten days after it is entered. Further that Rule 1.440 of the Court provides that the party affected by the Court's ruling shall have ten days to file a motion for reconsideration, which filing will suspend the effective date of the Court's order until the motion is ruled upon or until the Court otherwise orders. GRUBBS stated that under these rules, Judge ROPKE's Court does not as yet have further jurisdiction in GRUBBS' case and had no right to summons GRUBBS

On 4/2/65 at Louisville, Kentucky File # LS 44-643

b7C

by SA [redacted] 44-28247-9 Date dictated 4/2/65

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ENCLOSURE

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2

and the other defendants before ROPKE on April 2, 1965.

GRUBBS said he tried to point out to those present in Judge ROPKE's Court on April 2, 1965, the rules of the Court of Appeals regarding the matter, "but no one wanted to listen" and Judge ROPKE took no action other than setting April 16, 1965, for further proceedings in the case. GRUBBS stated he does not understand what proceedings are to be held on April 16, 1965.

GRUBBS advised that the happenings on April 2, 1965, is to him just a further move on the part of "the crowd against him," for the purpose of intimidating and harassing him.

GRUBBS strongly feels that the events that have occurred since defendants JOHN T. GOVER and PAUL B. WRIGHT made a citizen's arrest of H. A. LEWIS on January 14, 1965, clearly reflect a violation of the rights of GRUBBS and his codefendants under the Fifth, Sixth, and Fourteenth Amendments of the United States Constitution. He explained that the Fifth Amendment provides for due process of law and, "certainly we haven't received that"; that the Sixth Amendment provides for the right to be indicted, appear before a jury, and receive a fair and impartial trial, etc., "and certainly we haven't obtained that"; and, the Fourteenth Amendment provides among other things that no one should be denied equal protection of the law and, "we certainly have not received equal protection of the law."

GRUBBS asked whether or not the Federal Bureau of Investigation, Louisville, Office, had received any instructions from the Civil Rights Division of the United States Department

LS 44-643

3

b7C of Justice as to the status of the complaint GRUBBS had made in this matter. Special Agent [] told GRUBBS that to [] knowledge, no instructions had been received by the Federal Bureau of Investigation, Louisville Office, and if GRUBBS wished to pursue the status of his complaint in the Civil Rights Division, Department of Justice, he may wish to direct a letter to the Civil Rights Division, United States Department of Justice, Washington, D. C.

GRUBBS advised that he is not at the moment certain just what steps he will pursue next with respect to the charges against him. He is considering going before the United States Commissioner in Louisville, Kentucky, and asking for authority to swear out a warrant charging violation of Section 241, Title 18, United States Code. Should he do so, he will probably ask for the warrant to charge ROBERT W. ZOLLINGER, an attorney with Urban Renewal and Community Development Agency, Louisville, Kentucky, and H. A. LEWIS of that agency, with violation of Section 241, Title 18, United States Code. He said he would name these individuals as he feels they are the ones who are the basic cause for GRUBBS and his codefendants being indicted on false arrest charges. GRUBBS observed that in the past Federal courts have refused to accept appeal from state action until the appealing person has exhausted all remedies available to him by state law. Accordingly, GRUBBS has not as yet decided whether he will at this time initiate Federal Court action. A possible remedy he is considering to his current predicament is the filing of a motion before Judge ROPKE requesting a change of venue with respect to proceedings resulting from his, GRUBBS's, indictment.

GRUBBS made available a copy of each of the following described documents:

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A document headed, "Court of Appeals of Kentucky - Petition for a Writ of Prohibition," consisting of six pages, which GRUBBS said was filed with the Court of Appeals Frankfort, Kentucky, by himself and his codefendants about March 2, 1965;

A copy of the March 26, 1965, opinion of Judge MONTGOMERY of the Court of Appeals of Kentucky, three pages, denying the Petition for a Writ of Prohibition;

A copy of a five page document headed, "Motion to Reconsider and Withdraw Opinion Herein Entered on March 26, 1965, Denying Writ of Prohibition," which GRUBBS said had been filed with the Court of Appeals of Frankfort, Kentucky, on the morning of April 2, 1965, by JOHN T. GOVER.

With respect to the above documents, GRUBBS said he felt it was important to point out that Judge MONTGOMERY in his March 26, 1965, opinion stated, "Petitioners have not pleaded or shown that the remedy by appeal is inadequate." GRUBBS says this is an absolutely erroneous statement and referred to the fifth page of the "Petition for a Writ of Prohibition" where the petitioners specifically state "... the said intimidation and terror to deprive them of a fair and impartial trial under said indictment will continue and they will be subjected thereby through the deprivation of their said rights in the matter and they will suffer great and irreparable injury and damage therefrom, from which they will have no adequate remedy at law, unless this court issues its Writ of Prohibition against the respondent, Judge FRANK A. ROPKE"

44-28247-9

COURT OF APPEALS OF KENTUCKY

Walter H. Mullikin, Millard D. Grubbs
John T. Gover, James E. Finch, and
Paul B. Wright

Petitioners

vs -

PETITION FOR A WRIT OF PROHIBITION

Judge Frank A. Ropke, Regular Judge
of the First Division - Criminal Branch
Jefferson Circuit Court

Respondant

The petitioners, Walter H. Mullikin, Millard D. Grubbs, John T. Gover, James E. Finch, and Paul B. Wright, for cause of action herein and for a writ of prohibition against the Respondant, Judge Frank A. Ropke, states as follows:

The respondant, Judge Frank A. Ropke, is the duly qualified and acting Judge of the Jefferson Circuit Court, Criminal Branch, First Division.

The petitioners further states, that pursuant to and under the authority thereof KRS Section 431.005, Subsection 2, John T. Gover, accompanied by Paul B. Wright, as private citizens, in an effort to uphold the laws of Kentucky, arrested one H. A. Lewis, Director of Real Estate for the Urban Renewal and Community Development Agency of Louisville, Ky., on January 14, 1965, at about five minutes before nine o'clock A. M. and IMMEDIATELY TOOK HIM across the street to the Court of Magistrate Lucian T. Wilcox, of the Third Magisterial District of Jefferson County, Kentucky, and delivered the said prisoner and the affidavit containing the charge against him, to the said judge of the court. The said felony of which the said H. A. Lewis was arrested by said private citizens was contained in the following

ing affidavit:

"On February 27, 1964, in the City of Louisville, Jefferson County, Kentucky, you did sign and swear to an affidavit made before Robert W. Zollinger, a Notary Public in and for Jefferson County, Ky., who was authorized by law to administer the oath and to swear you to said affidavit, wherein you did, WILLFULLY AND KNOWINGLY make the following false statements: "Phillips Petroleum Company is the sole lessee of the real property described in the complaint herein. Gary Emerson was commissioned to manage the described property by the Neighborhood Oil Company for the purpose of securing the sale of the product of Phillips Petroleum Company. Gary Emerson is now assigned to the management of another service station belonging to the Phillips Petroleum Company and operated by the Neighborhood Oil Company.

The said affidavit and your false statements therein, were made by you to be filed in case number 76627 in the Jefferson Circuit Court, Common Pleas Branch, Fourth Division, styled Urban Renewal and Community Development Agency of the Louisville, Ky., vs. C. R. Dinwiddie, et al, then pending in said court, and said affidavit was filed in said case on March 5, 1964, with the willful and felonious intent to obstruct

justice to the defendants in said case and to perpetrate a fraud upon them.

At the time you signed and swore to said affidavit, you were employed by the Urban Renewal and Community Development Agency of Louisville, Ky., and well knew, or with any reasonable diligence could have easily ascertained that Mr. Gary Emerson owned and operated the "Emerson Service Center," and that he occupied the property described in the complaint therein, under a written lease for monthly money rents. At the time Robert W. Zollinger, as a Notary Public, swore you to the affidavit and false statements made therein, he also was an employed attorney by the plaintiff - the Urban Renewal and Community Development Agency of Louisville, Kentucky.

Your said false statements in affidavit filed in said court and case, were unlawful, criminal, contrary to and in violation of the laws of the State of Kentucky, as contained in Section 432.170 of the Kentucky Revised Statute Laws and was against the peace and dignity of the Commonwealth of Kentucky."

The affidavit sworn to by the said H. A. Lewis containing the said false statements, is filed herewith in support hereof, marked exhibit "A."

The pages 1, 2, 3 & 4 of testimony of Mr. Gary Emerson, given in trial of case 76627, held October 6, 7 & 8, 1964, certified by Mrs. Jane Witherspoon, Official Court Reporter, which shows the said Lewis swore falsely in said affidavit, is filed herewith marked exhibit "B."

Photo copy of Emerson lease for said Dinwiddie property is filed herewith marked exhibit "C."

Emerson's lease for the property he now occupies

Emerson, for rents under the Dinwiddie property lease marked exhibit "E."

The evidence contained in the foregoing exhibits was offered the said Magistrate Lucian Wilcox before whom the said H. A. Lewis was taken when arrested, but the only evidence the Assistant County Attorney, Cecil Davenport, wanted or the Magistrate Wilcox and Swann would hear was the question of whether or not the said persons making the said arrest saw Lewis sign the said affidavit or how they knew that he swore falsely therein or that was the substance and aim of said hearing.

The said exhibits and evidence therein was given to Assistant Commonwealth Attorney, Carl Ousley, in an effort by these petitioners to be called and allowed to present the said facts in them to the Grand Jury for Jefferson County, Ky., for

the month of February, 1965, but, as we are informed and believe; the Commonwealth Attorney, Edwin A. Schoering, Jr., took personal charge of the matter and did not call these petitioners to testify before the said Grand Jury, but, instead, did have or allow the said H. A. Lewis, and one Robert W. (Bob) Zollinger before said Grand Jury, and largely upon their word, procured an indictment against these petitioners, under which they are accused of making "a false arrest of Lewis," contrary to the Provisions of Section 435.150 of KRS. A photo copy of said indictment is filed herewith in support hereof marked exhibit "F."

The said indictment against these petitioners was assigned for hearing to the First Division of the Criminal Branch of the Jefferson Circuit Court, presided over by the Respondant Frank A. Ropke, Regular Judge thereof, and is now pending in said court.

On February 12, 1965, the petitioner, Millard D. Grubbs, as one of the defendants under the said indictment, appeared in court before the respondent, Judge Ropke, and sought to file a motion for himself, to quash the indictment against him in said case. But, the said Judge Ropke would not let him file said motion or act as his own attorney in the matter, and exhibited strong prejudice and bitter hostility toward the said Mr. Grubbs. During the said attempt to file said motion to quash the said indictment by Mr. Grubbs acting in his own defense, James T. [REDACTED]

[REDACTED] in support of [REDACTED] that Mr. Grubbs had the right and the legal ability to act as his own attorney in said matter, but the said respondent stubbornly resisted the right of Mr. Grubbs to defend himself in said case, and only allowed the said motion to quash marked "rendered." The respondent's manner to Mr. Grubbs was most over and discourteous during his attempt to file said motion, and very disrespectful to him and showed great prejudice against him and the other petitioners by referring to extraneous matter that had nothing to do with the case. Assistant Attorney, Carl Ousley, was present during the attempt by Mr. Grubbs to file the said motion, but said nothing during the exchange of words. A copy of the said motion to quash is filed herewith marked exhibit "G."

The affidavit of Mr. Travis Henderson, who also was in the said courtroom at the time, as well as several others, is

filed herewith marked exhibit "H."

Recognizing the great prejudice which the respondent, Judge Frank A. Ropke had against these petitioners, as revealed by his arbitrary action in denying Mr. Grubbs the right to act as his own attorney in filing motion to quash the said indictment, and the discourtesy of the said judge at that time, we realized that we would be unable to obtain a fair and impartial trial in the case, with the respondent acting as the trial judge. Therefore, on Wednesday, February 17, 1965, the petitioners, Walter H. Mullikin, and John T. Gover, each acting for himself, appeared in open court before the respondent Judge Frank Ropke, at motion hour about Ten o'clock A. M., and offered and tried to file in said case, an affidavit and motion to disqualify the respondent herein and to have him vacate the Bench upon the trial of said case, and were denied the right to file said affidavit and motion by the said Judge Ropke. Judge Ropke, the respondent herein, would not allow the said affidavit and motion left either with him or the deputy court clerk who was beside him at the time. The petitioner, Mr. John T. Gover, handed the said affidavit or pushed it toward Judge Ropke, the respondent, and informed him we were going to leave it with the court, and the said respondent exhibited great anger while pounding the Bench with

as in Exhibit "H" in said courtroom. Later the same day, the said petitioners, in company with Mr. Grubbs, went to the Clerk's Office of the Jefferson Circuit Court, and used the three clock in said office to file and clock the said motion and affidavit to have said respondent vacate the Bench, and took it to the office of the Deputy Clerk of the Criminal Branch of said Court to leave with him, and to our great astonishment, found the respondent Judge Frank A. Ropke standing guard at said office to stop the filing of the said affidavit and motion. As the said Mr. Gover reached to give the deputy clerk the said affidavit and motion, the respondent Judge Ropke rudely and with great anger snatched said affidavit and motion from his hand and said: "You are not going to file it." Mr. Grubbs replied, "Judge, we have the right to defend ourselves and file this affidavit, and we are going to do it." To which Judge Ropke with great rage and hatred in loud voice shouted: "I will fine

you for contempt," to which petitioner Grubbs answered: "You are not upon the Bench or in the courtroom, but are at the clerk's office and have no authority or right to punish for contempt or to prevent us from defending ourselves. In fact, the motion and affidavit has already been clocked filed and you have it in your hand now and that is all that is necessary to its filing." To which the respondent Judge Frank A. Ropke screamed: "Call the sheriffs, I will put you and the others out of circulation," and in a burst of great rage violently hurled the said affidavit and motion to disqualify him, upon the floor of the said clerk's office, where it lay, as we are informed by the said deputy clerk, for almost one hour and until Mr. Schoering, the Commonwealth Attorney, came in and picked it off the floor and carried it away.

Because of the bitter prejudice and arbitrary abuse and misuse of judicial powers by the said respondent, Judge Ropke and others, these petitioners have been denied the right to defend themselves against the accusations made against them in the said indictment and have been unable to present to the court the motion to quash same or to have it filed and have been subjected by the said respondent and others to threats, oppression, intimidation to deny them their constitutional and legal rights and to keep them from properly defending themselves against the charge made against them of

and the said intimidation

thereby through the deprivation of their said rights in the matter and they will suffer great and irreparable injury and damage therefrom, from which they will have no adequate remedy at law, unless this court issue its writ of prohibition against the respondent, Judge Frank A. Ropke, and restrain and prohibits him from further injury, oppression, threats and intimidation in their defense in said case and prohibit him from further denying petitioners their right to file the motion to quash the indictment in said matter and to file the affidavit and motion to have the respondent vacate the Bench upon the trial of the case and to prevent him from further arbitrary exercise of judicial powers or to prevent the petitioners, and each of them, from properly and legally exercising any and all of their constitutional and legal rights in their defense of

the said indictment.

Wherefore, petitioners move the court to issue its writ of prohibition herein against respondent Judge Frank A. Ropke, restraining and prohibiting him from further abusing and misusing judicial powers to injury, oppress, intimidate and threaten these petitioners in the free and full right and enjoyment of all rights secured by the Constitution and Laws of the United States, and the Constitution and Laws of the State of Kentucky and to stop him from further denying said petitioners the right to represent themselves in said case or to file the said motion to quash the indictment and the affidavit to disqualify the respondent, and for their cost herein expended and for other equitable, legal, and proper relief to which they are found intitled. The petitioners file herewith in support hereof their own affidavits setting forth the facts of the denials and deprivations to which they have now been subjected by the terroristic and lawless acts of the respondent, as set forth herein.

Each acting as attorney for himself

XERO COPY XERO COPY
RENDERED:
March 26, 1965

COURT OF APPEALS OF KENTUCKY

PAUL B. WRIGHT ET AL.

PETITIONERS

V.

IN COURT OF APPEALS

FRANK A. ROPKE, JUDGE

RESPONDANT

OPINION OF THE COURT BY JUDGE MONTGOMERY

DENYING PROHIBITION

Paul B. Wright, John T. Gover, Millard D. Grubbs, Walter H. Mullikin, and James E. Finch have petitioned this Court to prohibit Frank A. Ropke, Judge, Criminal Branch, First Division, Jefferson Circuit Court, from proceeding further in the prosecution therein styled The Commonwealth of Kentucky v. Paul B. Wright et al., Indictment No. 129896, for false arrest. The petitioners have moved to disqualify the respondant from trying the case, but this motion has not been

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passed on. Petitioners have filed several affidavits. A counteraffidavit has been filed. A temporary order of prohibition has been granted.

Petitioners have alleged and contend that the respondent is acting erroneously within his jurisdiction and that they will suffer great and irreparable injury. The following from Jake's Fork Coal Company v. Wells, Ky., 362 S. W. 2d 728, is fatal to petitioners' claim, to-wit:

" * * * Even if the allegation be true, this Court will not grant the requested relief unless it further appears that petitioners have no adequate remedy by appeal (or otherwise) and will suffer great and irreparable injury. Musgrave v. Hays, Ky., 354 S. W. 2d 288.

"The overruling by a circuit judge of a motion to require him to vacate the bench is an interlocutory order and ordinarily this Court will not review his action in an original proceeding in this Court since adequate review is provided by other and more conventional procedures. Smith v. Ward, 256 Ky. 13, 75 S. W. 2d 538; Cross v. Wilson, Ky., 325 S. W. 2d 309."

Further discussion therein is also pertinent.

The rule is that the extraordinary remedy of prohibition will not be indulged if there is an adequate remedy by appeal.

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Baker v. Jolly, Ky., 338 S. W. 2d 901. Each petitioner is on bail so no question of imprisonment is involved. Petitioners have not pleaded or shown that the remedy by appeal is inadequate. In addition, relief may be available by KRS 23.230.

It is unnecessary to determine whether the filing of the petition was premature on the ground that it should not have been filed until after the motion to disqualify had been overruled. There still would have been time to seek prohibition then before trial. No need for extraordinary remedy would exist if the motion should be sustained.

The facts in Farley v. Lowe, Ky., 382 S. W. 2d 409, render it inapplicable here.

Prohibition denied.

ATTORNEY FOR PETITIONERS:

James T. Robertson
1515 Kentucky Home Life Building
Louisville, Kentucky

ATTORNEY FOR RESPONDENT:

Edwin A. Schoering, Jr.
Commonwealth's Attorney
Court House
Louisville, Kentucky

COURT OF APPEALS OF KENTUCKY

Paul B. Wright, Et Al.

Petitioners

v.

NOTICE TO RECONSIDER AND WITHDRAW OPINION ENTERED
ENTERED ON MARCH 26, 1963. DENYING WRIT OF HABEAS CORPUS

Frank A. Ropke, Judge

Respondent

Comes the petitioners, Paul B. Wright, John T. Gover, Willard D. Grubbs and Walter H. Mallikin and moves the court to reconsider and withdraw its opinion entered herein on March 26, 1963, for the following reasons:

(1) Respondent has a fixed design and purpose in striving to remain as trial judge in the case against petitioners, and such design and purpose, is to convict them of the charge in the indictment, in defiance of law, truth, innocence, and justice, and such fixed determination by respondent has been shown and expressed by the facts set forth in petitioners' affidavits filed in support of this proceeding, and from which the following is quoted:

(A.) From affidavit of Mr. Grubbs.

"On or about February 12, 1963, Mr. Grubbs appeared in court and sought to file with respondent a motion to quash the indictment against him pending in said court and informed the respondent as the trial judge that he was representing himself in said matter and his repeated efforts to act as his own attorney and to file said motion was denied by respondent."

(B.) From affidavit of Mr. Travis Henderson.

"Mr. Henderson states that he was present in the courtroom at the time Mr. Willard D. Grubbs repeatedly tried to file motion to quash indictment against him pending in said court and in which he informed Judge Ropke that he was representing himself in said case and Judge Ropke denied him the right to do so. . . . Attorney Henderson told the Judge Mr. Grubbs had the right to file said motion. A Mr. Conley, whom I understand is an Assistant Commonwealth Attorney, also was present during the time."

(C.) From affidavit of Mr. Mallikin and Mr. Gover.

"On February 17, 1963, petitioners Walter H. Mallikin and John T. Gover appeared in open court before respondent at motion hour and tried to file in said court the affidavit and motion as disclosed by him and have respondent refuse to accept the same or said case and have denied the right to file said affidavit. . . . Mr. Gover told the court that he was present in said court and informed the court that he was present in said court and the court denied the motion."

great anger while pounding the bench with his fist as he said: "You are not telling me how to run my court," and would not let said petitioners leave the motion and affidavit in said courtroom."

(D.) From affidavit of Mr. Mallikie, Gover and Grubbs.

"On February 17, 1965, petitioners Mallikie, Gover and Grubbs went to the main office of the clerk of the Jefferson Circuit Court and filed the motion and affidavit to have respondent vacate the Bench and then carried same to the deputy clerk of the Criminal Branch of said court to leave it with him and found that the respondent had left his courtroom and was standing guard at said clerk's office to prevent the filing of said motion to have him vacate the Bench. As Mr. Gover was handing the said affidavit and motion to said deputy clerk, the respondent rudely and violently snatched said affidavit and motion from Gover's hand shouting: 'You are not going to file it.' During an exchange of words between the respondent and Mr. Grubbs, the respondent screamed: 'I will cite you for contempt and called someone call the sheriffs.' Mr. Grubbs replied to the judge that 'You are at the clerk's office and no court is in session and you have no power to punish for contempt out here. We have a right to defend ourselves against this indictment and you have the motion now in your hand - it has already been filed and that is all that is necessary for us to do.' At which the respondent angrily replied: 'I will put you all out of circulation,' and with a burst of fresh violence slammed the said motion and affidavit to disqualify him on the floor of the said clerk's office."

(E.) From affidavit of petitioner Paul B. Wright.

"In the afternoon of March 8, 1965, said petitioner went to the office of respondent herein to find out if he should be in court on March 12, 1965. Said respondent's manner towards petitioner herein was most hostile and bitterly prejudiced. Respondent made the statement to said petitioner, 'that one of them was going to the penitentiary,' but did not name the one. Petitioner, wrought from the bitter feeling exhibited towards petitioner, indicated he desired to attack the dock against them and deprive them of their constitutional and civil rights under said indictment."

The petitioner believes that the hatred exhibited by Judge Kopke against Mr. Grubbs and the National Law Enforcement Committee has warped and disordered his mind."

(F.) From affidavit of petitioner Paul B. Wright, March 17, 1965.

"The petitioner went to the office of respondent in courtrooms to obtain a copy for himself of respondent's 'Counter-Affidavit' herein and found Judge Kopke talking over the telephone. He walked up and down the hall in front of said office for a few minutes until respondent finished said phone conversation and then tapped on his office door and was told to 'Come in.' As he entered said office and respondent saw who it was, respondent pulled, 'Get out - Get out, sheriff came and took this

follow out."

(A.) The cold and incontestable facts regarding the indictment against petitioners are highly indicative and evidentiary of the fact that respondent desires to remain upon the Bench to "stack the deck against petitioners," because said indictment is largely based upon the evidence of one Bob Zollinger, and the said E. A. Lewis who was arrested by Mr. Gover and Paul B. Wright for false swearing in a condemnation proceeding. And said petitioners have been denied the right to a hearing on their said accusation against the said Lewis and said indictment runs in the very teeth of the Provision of Section 431.035 - 2 of Kentucky Revised Statute Laws.

(2) The said opinion in this proceeding contains most grievous and vitally damaging errors of fact regarding the allegation contained in the petition in this proceeding, ^{All} of which ~~are contained in the opinion of the court and no doubt caused by the pressure of work~~ with which the court is burdened. On page 2, paragraph 2, beginning at end of line 3, ^{THE OPINION OF THE COURT.} contains the following erroneous statement of fact.

(A.) "The following from Jake's Fork Coal Company v. Wells, 302 S. W. 2d, 728, is fatal to petitioners' claim:

"Even if the allegations be true, this court will not grant the relief requested unless it further appears that petitioners have no adequate remedy by appeal (or otherwise) and will suffer great and irreparable injury."

(B.) The said opinion on page 3 at sentence beginning at end of line 2 erroneously states:

"Petitioners have not pleaded or shown that the remedy by appeal is inadequate."

(C.) From the petition filed in this proceeding, the following is quoted from page 2 of the memorandum brief filed by counsel, the Honorable James T. Robertson.

"Contrary to most (respondent's) memorandum opinion, the petitioners are entitled to writ of prohibition and that petitioners will suffer great and irreparable injury and damage from which they (respondents) will not have adequate remedy at law, unless this court issues the

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writ of prohibition against the respondent, Judge Frank A. Ropke, and restrain and prohibit him from further injury, oppression, threats, and intimidation in their defense in said case, and prohibit him from further denying petitioners their right to file motion to quash the indictment in said matter and to file the affidavit and motion to have the respondent vacate the Bench, etc.?"

The previous errors of fact in said opinion above quoted and set out require withdrawal of said opinion in order that the publishers who report the opinion of this court will not contain such error. The extreme prejudice and arbitrary acts exhibited by respondent toward petitioners as disclosed by the fact set forth in the petitioners' affidavits filed in support of the writ of prohibition in this proceeding, constitute a denial to petitioners of the rights secured them by Sections two, eleven, fourteen and fifteen of the Constitution of Kentucky, and contrary to the opinions of this court contained in the case of Carroll v. Commonwealth, Kimbler v. Commonwealth and also Lewis v. Commonwealth, 299 S. W. 2d, 635, which stated:

"Indictment charging in language of Statute that, ~~the named person~~ ~~unlawfully~~ ~~arrested~~ the named person without authority of law or right to do so, without alleging the facts and circumstances necessary to constitute an unlawful arrest, is insufficient on demurrer."

This rule runs back and is sustained by an unbroken line of decisions of the court.

Said prejudicial and arbitrary acts by respondent contained in said affidavits have already deprived petitioners and will further deprive them of the rights secured them by the fifth, sixth and fourteenth Amendments of the Constitution of the United States and the rights under the U. S. Civil Right Laws. Upon this motion, petitioners ask the withdrawal of said opinion, and that the court sustain their petition for a writ of prohibition.

Attorney for said

Attorney for said

Attorney for said

Attorney for said

Attorney James E. Robertson,
Co-Counsel

CERTIFICATE

It is hereby certified that a true copy of the foregoing motion has been given the respondent herein by mailing the same to Commonwealth Attorney, Edwin A. Scheering, Jr., at his office in the Criminal Court Building, Louisville, Kentucky, the Attorney of Record herein for respondent.

Friday, April 2, 1965

Attorney for self

44-28247-9

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 4/12/65

FROM : SAC, LOUISVILLE (44-643) (C)

SUBJECT: b7C

Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;
ET AL;
MILLARD D. GRUBBS -
VICTIM;
ET AL
CR

Re Louisville airtel to Director dated 4/7/65.

Enclosed are original and three copies of letterhead memorandum of this date concerning captioned matter. One copy of each of the attachments described in the enclosed is attached to the original and one copy only of the enclosed letterhead memorandum.

A copy of the enclosed has been disseminated locally to the USA.

Bureau will be kept advised of any further data which may be received concerning this matter.

2 - Bureau (Enc. ~~ENCLOSURE~~)
1 - Louisville
WLW/eb
(3)

1- CC CRD
1- CC CRU
4-14-65
6-94 G
KLB/jed

EX-116

REC-24 44-28247-10

3 APR 14 1965

b7C



64 APR 23 1965

86

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Louisville, Kentucky 40202
April 12, 1965

b7C

[REDACTED]
Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;

[REDACTED]
Jefferson County, Kentucky;

[REDACTED]
Jefferson County, Kentucky;

[REDACTED]
Urban Renewal and Community
Development, Louisville, Kentucky;

MILLARD D. GRUBBS - VICTIM;

[REDACTED] - VICTIM;

[REDACTED] - VICTIM;

[REDACTED] - VICTIM;

[REDACTED] - VICTIM

CIVIL RIGHTS

Attention is invited to memoranda regarding captioned matter dated February 25, 1965, March 1, 1965, March 19, 1965, March 31, 1965, and April 6, 1965.

Attached is one copy each of reports of interviews with Millard Dee Grubbs, Louisville, Kentucky, on April 6 and 7, 1965.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

44-28247-10
ENCLOSURE

FEDERAL BUREAU OF INVESTIGATION

Date April 12, 1965

MILLARD D. GRUBBS, 1427 South Sixth Street, Louisville, Kentucky, telephonically furnished the following information:

He was sending to the Court of Appeals, Frankfort, Kentucky, for filing with that Court on April 6, 1965, a joint affidavit prepared by himself, JOHN T. GOVER and WALTER T. MULLIKIN to serve in support of the motion that had previously been filed by them petitioning the Court of Appeals to reconsider the March 26, 1965 order by Judge MONTGOMERY denying the previously submitted petition for writ of prohibition against Judge FRANK ROPKE.

At the proceeding before Judge ROPKE on April 2, 1965, concerning which GRUBBS furnished information on April 2, 1965, as previously reported, defendants JOHN T. GOVER and JAMES E. FINCH did not appear before ROPKE as neither they nor any of the other defendants had received notice the proceeding was to be held. During the proceeding, Judge ROPKE entered a motion by the prosecutor to forfeit the bond of GOVER and FINCH and to have a bench warrant issued for them. However, before the proceeding terminated, ROPKE apparently rescinded this action and set the whole matter for hearing on April 16, 1965.

GRUBBS said he has heard "from the girl here" (a young girl who performs stenographic work for GRUBBS in GRUBBS' National Law Enforcement Committee office, 1427 South Sixth Street, Louisville, Kentucky) and "the men around here" that PAUL B. WRIGHT, a co-defendant of GRUBBS, is saying that the prosecuting officials are trying to get WRIGHT to say he did not know anything about the arrest made by GOVER and himself and was doing "just what they told me to do", and if WRIGHT did take this position, Commonwealth's Attorney SCHROCKING "would take care of WRIGHT." GRUBBS said it is obvious that the prosecutors are trying to get WRIGHT to plead guilty and testify against GRUBBS and the other defendants. GRUBBS said he believes [redacted] but he is not certain. He said he had not [redacted]

b7C

On 4/6/65 at Louisville, Kentucky File # LS 44-643
 by SA [redacted]/mfm Date dictated 4/8/65

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LS 44-643

E

b7C

[REDACTED]

[REDACTED] GAUBBS said he has included in an affidavit he has prepared in his case, information with respect to the reported attempt by the prosecuting officials to have WRIGHT testify against GAUBBS and the others. He said "there are no hard feelings between Wright, myself and the others and I put the information in the affidavit just to keep the record straight."

FEDERAL BUREAU OF INVESTIGATION

Date April 12, 1965

1

MILLARD D. GRUBBS, 1427 South Sixth Street, Louisville, Kentucky, telephonically advised as follows:

JOHN T. GOVER, a co-defendant with GRUBBS on a local charge of false arrest pending against them, has recently indicated that he felt the facts reflecting a violation of the civil rights of himself and his co-defendants should be taken into Federal Court. He requested GRUBBS to give him copies of some affidavits that GRUBBS had previously prepared in connection with this matter, as he wanted to present them to the United States Commissioner in Louisville. GRUBBS did give GOVER copies of some of the documents and on the morning of April 7, 1965, according to what GOVER has told GRUBBS, GOVER presented these to RAY H. KIRCHDORFER, United States Commissioner, Louisville, Kentucky. KIRCHDORFER seemed somewhat confused and inquired of GOVER for what purpose he was furnishing the documents to him. GOVER told KIRCHDORFER that KIRCHDORFER was the United States Commissioner, that he should read the papers and might find he has some duty to perform in connection with them. KIRCHDORFER replied to GOVER "OK". GRUBBS commented that [REDACTED]

b7C

GRUBBS commented that he, GOVER and the rest of their co-defendants in instant matter are convinced that their civil rights have been violated and that H. A. LEWIS, whom GOVER and WRIGHT arrested, is "guilty as hell" of the charge of perjury and that attorney ROBERT ZOLLINGER is guilty of subornation of perjury. GRUBBS noted no action has been taken against either LEWIS or ZOLLINGER, but instead GRUBBS and the others have been charged with false arrest.

b7C

GRUBBS said that [REDACTED] has recently indicated dissatisfaction with [REDACTED] efforts to pursue this matter

On 4/7/65 at Louisville, Kentucky File # LS 44-643

b7C

by SA [REDACTED] /mfm Date dictated 4/7/65

44-28247-10

b7C "in the courts." GRUBBS has told [] the only way to pursue instant matter "is to battle it out in the courts and we'll find some way to get justice." [] according to GRUBBS, has said to GRUBBS he, [] might try to whip the hell out of them." [] did not name any specific individual to whom he might have been referring and GRUBBS said he, GRUBBS, could not state specifically to whom [] might have been referring. GRUBBS commented that [] is "a big, powerful man and a dangerous man", but he does not believe [] would try to shoot anyone." GRUBBS further said he has told [] he will tolerate no violence in this matter and at this time, GRUBBS does not believe [] contemplates violence against anyone. GRUBBS further said that should he hear of anyone contemplating violence against another, he will promptly advise SA [] of the Federal Bureau of Investigation and SA [] in turn can advise the person against whom violence may be indicated and tell that person GRUBBS was the individual furnishing the information. GRUBBS said "I have never in my life tried to hide behind anything I said."

GRUBBS said that he has talked privately to at least thirty attorneys about the charge of false arrest that has been leveled against him and his co-defendants and asked them for their honest opinion, promising them he would not name any of them. All attorneys, "to a man", have said the facts reflect a clear violation of Section 241, Title 18, of the U. S. Code.

GRUBBS commented "I'm not asking any favors of anyone, but I do want the rights guaranteed me under the Constitution." He said "I am not a blood thirsty man--God said 'Thou shalt not kill'--and I believe this and I don't want any blood on my hands, but I do feel I am entitled to all rights guaranteed me under the Constitution." He further commented that "ROPKE" (Judge FRANK A. ROPKE, presiding in the Court in which charges are pending against GRUBBS) has been going around saying "we don't want but one man--we are shooting for one man." GRUBBS said the reference is obviously to himself and ROPKE is biased against GRUBBS because a few years back, GRUBBS brought a suit against a number of prominent individuals in this area.

b7C GRUBBS said that [] is anxious for GRUBBS to recommend some lawyer to defend [] and would employ

any attorney GRUBBS would recommend. GRUBBS said "I got hold of a good lawyer in Chicago, but he is so bogged down with work right now that he can't help out." GRUBBS said he does not want to employ a local attorney as such an individual will not put forth his best efforts to defend "me" because after the case is over, the attorney will have to continue to practice before Judge ROPKE.

GRUBBS said that on April 6, 1965, his co-defendants GOVER and WALTER T. MULLIKIN furnished an affidavit to GRUBBS wherein they, in effect, stated that on February 17, 1965, when they appeared in Judge ROPKE's Court with respect to their desire to file a motion to have Judge ROPKE disqualify himself, ROPKE told them they could act as their own attorney at the trial, but that if they did not get an attorney "right now, I am not going to let you do it later on. We are not trying to railroad you." GRUBBS said he does not know specifically to what Judge ROPKE referred in stating "we are not trying to railroad you", but it is his own opinion ROPKE was indicating to GOVER and MULLIKIN that the person ROPKE was "out to get" was GRUBBS.

GRUBBS again reiterated his statement that he himself would never commit violence and said "God didn't give me nor anyone the right to take a life--certainly God suffered as great an injustice as anyone can suffer--and I don't know just at what time God may want a soul ushered before him and I am not going to be the one to cause such to happen."

GRUBBS reiterated his belief that he and his co-defendants are not getting justice in local Court and while he personally will never commit violence, but "I am going to give them a whale of a fight in the Courts."

FBI

Date: 4/29/65

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

TO: DIRECTOR, FBI
FROM: SAC, LOUISVILLE (44-643) (P)
SUBJECT: [REDACTED]

b7C

Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;
ET AL;
MILLARD D. GRUBBS -
VICTIM;
ET AL
CR

Re Louisville letter dated 4/12/65.

On April 28 and 29, 1965, Victim GRUBBS again
telephonically contacted this office furnishing additional
data with respect to captioned matter.

Letterhead memorandum covering additional data
furnished by GRUBBS will be submitted.

3 - Bureau
2 - Louisville
WLW:sjs
(5)

REC-23

44-28247-11

18 APR 30 1965

EX-116

Approved: _____

Sent _____

M

Per _____

Special Agent in Charge

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 5/3/65

FROM : SAC, LOUISVILLE (44-643) (C)

SUBJECT: (1)

b7C

Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;
ET AL;
MILLARD D. GRUBBS -
VICTIM;
ET AL
CR

1- CC CRD
1- CC CRU
5-6-65
6-94 H
KLB/fe

Re Louisville airtel dated 4/29/65.

Enclosed are original and three copies of letterhead memorandum of this date concerning captioned matter. One copy of each of the attachments described in the enclosed is attached to the original and one copy of the enclosed.

A copy of the enclosed has been disseminated locally to the USA.

In the event further information is volunteered by complaints in this matter such will be promptly furnished the Bureau.

2-Bureau (Enc. 4)
1-Louisville

WLW:wgc

(3)

ENCLOSURE

REC 1

EX 109

2 MAY 6 1965

b7C

MAY 12 1965

KLB



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Louisville, Kentucky
May 3, 1965

b7C

[REDACTED]
Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;

[REDACTED]
Jefferson County, Kentucky;

[REDACTED]
Jefferson County, Kentucky;

[REDACTED]
Urban Renewal and Community
Development, Louisville, Kentucky;
Millard D. Grubbs - Victim;
[REDACTED] - Victim;
[REDACTED] - Victim;
[REDACTED] - Victim;
Civil Rights

Attention is invited to memoranda regarding
captioned matter dated February 25, 1965; March 1, 19,
and 31, 1965; and April 6 and 12, 1965.

Attached is one copy each of reports of
interviews containing information volunteered by Millard
Dee Grubbs, Louisville, Kentucky, on April 28 and 29,
1965.

This document contains neither recommendations nor conclusions
of the FBI. It is the property of the FBI and is loaned to
your agency; it and its contents are not to be distributed
outside your agency.

ENCLOSURE 44-28247-12

b7C

On April 15, 1965, an individual identifying herself as Mrs. Bessie T. Morris, [redacted] Louisville, Kentucky, telephonically contacted the Louisville Office of the Federal Bureau of Investigation and advised Special Agent [redacted] as follows:

She is associated with the Community Improvement League and had just been in contact with Ernest W. Rivers, United States Attorney's Office, Louisville, Kentucky, with respect to any Federal action that may be under consideration with respect to the indictment in Jefferson County, Kentucky, of an acquaintance of herself, Walter Mullikin, on false arrest charges. Mrs. Morris said that Mullikin as well as Clarence R. Dinwiddie, the taking over of whose property by Urban Renewal "started this whole mess," are members of "my organization, the Community Improvement League."

b7C

Mrs. Morris commented that from what she has heard about this matter from Walter Mullikin as well as her friend [redacted] Grubbs, it appears clear to her that their civil rights have been violated. Mrs. Morris was asked if she had any personal knowledge concerning instant matter and if so, and she might be so willing, Special Agent [redacted] would meet with her at her convenience and obtain the information she might have, and if she desired place it in the form of a signed statement and record the information in a report for transmittal to the Civil Rights Division, United States Department of Justice, Washington, D. C. Mrs. Morris advised she had no personal knowledge concerning the events in this matter but has heard of them from her friends.

Mrs. Morris inquired whether or not the Federal Bureau of Investigation was making an investigation concerning this matter and she was told that certain information had come to the attention of the Louisville Office of the Federal Bureau of Investigation concerning this matter which information had been forwarded to the Civil Rights Division, United States Department of Justice, Washington, D. C., for its determination as to whether any Federal action may be warranted. Mrs. Morris commented she could not understand why the Federal Bureau of Investigation would not investigate this matter rather than forwarding the material to "Washington" for consideration. She was

advised that this action was in accordance with established procedure and if she desired to pursue her inquiry along this line, she might wish to direct a communication to the Assistant Attorney General in charge of the Civil Rights Division, United States Department of Justice, Washington, D. C. Mrs. Morris indicated she did not plan to take such action.

FEDERAL BUREAU OF INVESTIGATION

1

Date May 3, 1965

MILLARD D. GRUBBS, 1427 South 6th Street, Louisville, Kentucky, telephonically furnished the following information:

He wished the FBI record to reflect the following has occurred with respect to the indictment currently pending against him and several others in local court in Louisville, Kentucky, alleging false arrest by GRUBBS and his co-defendants:

The matter came up in the court of Judge FRANK A. ROPKE in Louisville, Kentucky, on April 16, 1965. Judge BRENT OVERSTREET was sitting on that day in Judge ROPKE's court, and Judge OVERSTREET continued the entire matter until May 6, 1965, at which time the matter will come up for disposing of all motions made to date in the case.

GRUBBS feels that his co-defendant PAUL B. WRIGHT "has been taken over by" the prosecuting officials. WRIGHT has retained his own attorney, LORAIN NIX, and has made a motion for a separate trial and has further moved to withdraw all motions he, WRIGHT, had previously made in this case.

WRIGHT in the past had told GRUBBS that Commonwealth's Attorney EDWIN SCHROERING and SCHROERING's Assistant, CARL OUSLEY, were trying to get WRIGHT to testify falsely with respect to the facts surrounding the arrest on January 14, 1965, of H. A. LEWIS by JOHN GOVER and WRIGHT.

b7C

Several months ago, when

On 4/28/65 at Louisville, Kentucky File # LS 44-643

by SA [redacted] /mm Date dictated 429-65

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ENCLOSURE

44-28247-12

b7C was in GRUBBS' office at 1427 South 6th Street, Louisville, Kentucky, [] was using "very vulgar language" in the presence of a young female stenographer GRUBBS employs in the afternoons. GRUBBS became very angry with [] for the language he was using in the presence of the young girl and ordered [] out of the office. As [] was leaving, he remarked to GRUBBS, [] GRUBBS said he is convinced [] will work against the best interests of GRUBBS, and he has told [] he will no longer allow him to assist or in any way be connected with himself, GRUBBS, or GRUBBS' organization, the National Law Enforcement Committee.

GRUBBS said that when he and his four co-defendants were indicted on false arrest charges on February 2, 1965, GRUBBS was talking to Assistant Commonwealth's Attorney CARL OUSLEY as to the amount of bond that would be required for those indicted. At that time it was said the bond would be \$500 for each defendant. GRUBBS obtained \$2,500 in currency to cover the bond for all defendants and gave the money to his co-defendant, JOHN T. GOVER, for the purpose of making the necessary bonds. This GOVER did, and the defendants were all released immediately on bond. However, the Circuit Court Clerk who accepted the bonds, (First Name Unknown) CARROL, in issuing receipts for the bond money made receipts out individually to each of the defendants indicating as if each defendant had put up \$500 of his own currency for his own bond.

Because of the recent belief of GRUBBS that WRIGHT is now working against GRUBBS, GRUBBS at the April 16, 1965, calling of the case before Judge OVERSTREET, requested return of the \$500 currency GRUBBS had put up in behalf of defendant WRIGHT. GRUBBS said he no longer wanted to be on WRIGHT's bond. WRIGHT's attorney objected, and WRIGHT produced the Circuit Court Clerk's receipt which in effect shows that WRIGHT had paid \$500 for the bond. GRUBBS said "everyone there" knew the money did not belong to WRIGHT and knew it belonged to GRUBBS and his National Law Enforcement Committee. Judge OVERSTREET, however, would not act

favorably upon GRUBBS' motion to have WRIGHT's bond money returned to GRUBBS in view of WRIGHT having a receipt indicating he, WRIGHT, had paid the money to the Circuit Court Clerk. Judge OVERSTREET continued the matter to be heard along with other motions in the case on May 6, 1965.

GRUBBS commented he is convinced that the difficulty he has now encountered with respect to getting off of WRIGHT's bond is just a further form of harassment against GRUBBS by the prosecuting officials.

GRUBBS said he feels this is further evidence of a violation of his civil rights.

GRUBBS said he strongly feels the Federal Government should take action in this matter to protect his civil rights which he is convinced are being continually violated in connection with all proceedings in local court with respect to his indictment on false arrest charges.

It was pointed out to GRUBBS that all information he has furnished the Louisville Office of the FBI to date has, in accordance with established procedure, been forwarded to the Civil Rights Division, United States Department of Justice, Washington, D.C., and if GRUBBS so desired, he might direct a letter to that Division expressing his feelings in this matter in whatever manner he might wish to so express them. GRUBBS commented that over the years he has on many occasions written numerous letters to prominent people in which he clearly and strongly expressed his views against "the Socialist trend of government" that was taking place in this country. He said that in view of his previous writings, he doubted that the attorneys in the Civil Rights Division, United States Department of Justice would be prone to assist him in his current troubles. He stated he doubted that his writing a letter to the Civil Rights Division, Department of Justice, would in any way help him in his current difficulties.

FEDERAL BUREAU OF INVESTIGATION

Date May 3, 1965

1

MILLARD D. GRUBBS, 1427 South 6th Street, Louisville, Kentucky, telephonically furnished the following data:

b7C GRUBBS asked whether or not to date the Louisville Office of the FBI has been requested by the Civil Rights Division of the United States Department of Justice to conduct an investigation with respect to GRUBBS' complaint as to his belief his civil rights have been violated. GRUBBS was advised that so far as was known at the moment to SA [] no request had been made by the Civil Rights Division of the United States Department of Justice for the Louisville Office of the FBI to conduct an investigation with respect to GRUBBS' complaint. GRUBBS asked if a letter would be sent him by SA [] wherein SA [] would confirm the information orally furnished to him. GRUBBS was advised that in the event he wished a written communication as to whether or not the Louisville Office of the FBI had been requested to conduct an investigation into his complaint, he should direct a letter to the Agent in Charge of the Louisville Office of the FBI incorporating his request and he would receive an appropriate written response to his letter. He said he would promptly direct such a letter to the Louisville Office of the FBI.

GRUBBS said that since his contact with the Louisville Office of the FBI on April 28, 1965, he has given additional thought as to the proper manner in which he should proceed in order to get Federal action on his complaint. He said he is seriously considering taking the matter personally before a Federal Judge in Louisville, Kentucky, as he does not feel the Civil Rights Division, United States Department of Justice will request any Federal action with respect to his complaint.

GRUBBS further stated that he is aware of the fact that in most matters Federal Judges refuse to accept cases pending in state or local courts until the complaining party has exhausted all remedies available to him through

b7C On 4/29/65 at Louisville, Kentucky File # LS 44-643
by SA []/mm Date dictated 4/29/65

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ENCLOSURE 44-28247 12

LS 44-463

2

state courts. Notwithstanding, GRUBBS feels that his complaint should be immediately accepted for hearing in Federal Court because it involves a matter of violation of his civil rights which is a continuing offense and "it does no good to have your civil rights protected after you are murdered."

GRUBBS further commented that he is contemplating going before a Federal Judge in Louisville, Kentucky, and requesting that Judge to issue a mandamus requiring the United States Commissioner to issue Federal warrants against those who have violated the civil rights of GRUBBS and his co-defendants.

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE 5/10/65

FROM : SAC, LOUISVILLE (44-643) (C)

SUBJECT:

b7C

Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;
ET AL;
MILLARD D. GRUBBS -
VICTIM
ET AL
CR

1- CRD
1- CRU (xerox)
5-11-65
6-94 y
CDC/pd

Re Louisville letter 5/3/65.

Enclosed are original and three copies of a letter-head memorandum of this date containing additional information furnished by victim GRUBBS.

One copy of the attachment described in the enclosed is attached to the original and one copy of the enclosed.

A copy of the enclosed has been disseminated locally to the United States Attorney.

2 - Bureau (Enc. 4)
1 - Louisville

WLW/mm

(3)

ENCLOSURE

REC-16

44-28247-13

25 MAY 12 1965

EX-116

MAY 20 1965



Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

EXP. PROC.
40



In Reply, Please Refer to
File No.

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Louisville, Kentucky
May 10, 1965

b7C

[redacted]
Jefferson Circuit Court -
Criminal Branch;
Louisville, Kentucky;

[redacted]
Jefferson County, Kentucky;

[redacted]
Jefferson County, Kentucky;

[redacted]
Urban Renewal and Community
Development, Louisville, Kentucky;
Millard D. Grubbs - Victim;

[redacted] - Victim;

[redacted] - Victim;

[redacted] - Victim;

[redacted] - Victim;

Civil Rights

Attention is invited to memoranda regarding
captioned matter dated February 25, 1965; March 1, 19,
and 31, 1965; April 6 and 12, 1965, and May 3, 1965.

Attached is a copy of report of interview
containing information volunteered by Millard Dee
Grubbs, Louisville, Kentucky, on May 5, 1965.

This document contains neither recommendations nor conclusions
of the FBI. It is the property of the FBI and is loaned to
your agency; it and its contents are not to be distributed
outside your agency.

44-28247-13
ENCLOSURE

FEDERAL BUREAU OF INVESTIGATION

1

Date May 10, 1965

Pursuant to a telephone request received May 4, 1965, from MILLARD DEE GRUBBS, 1427 South 6th Street, Louisville, Kentucky, Mr. GRUBBS was contacted at his residence. He was alone and he advised as follows:

With further reference to the matter of his trying to be released from the \$500 bond of his co-defendant, PAUL B. WRIGHT, GRUBBS exhibited a letter dated March 23, 1965, to the National Law Enforcement Committee (NLEC) from GLYNN V. MC MINOWAY, Chief Clerk, Criminal Division, Jefferson Circuit Court, Louisville, Kentucky. This letter stated it was in reply to a letter from GRUBBS dated March 22, 1965. In the March 23, 1965, letter it was further stated that records of the Chief Clerk, Criminal Division, Jefferson Circuit Court, Louisville, Kentucky, reflect that each of the defendants in case 129896 deposited the sum of \$500 for their appearance in court; that at the time nothing was said or filed to show that the money deposited belonged to the NLEC. It was further stated in the letter that at the conclusion of the trials, "This office will see that said cash bonds will be returned to your committee."

GRUBBS pointed out that the above letter is contradictory in that while it states in the one instance nothing was said or filed to show the bond money belonged to the NLEC, it concludes that when the trials are over, the money will be returned to the NLEC.

GRUBBS also exhibited a letter dated April 19, 1965, from himself to GLYNN MC MINOWAY to which GRUBBS attached an affidavit of his co-defendant, JOHN T. GOVER, in which GOVER stated that the \$2,000 currency he gave the clerk of the court on February 4, 1965, to cover \$500 bonds

On 5/5/65 at Louisville, Kentucky File # LS 44-643

b7C

by SA [redacted] Date dictated 5/10/65

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ENCLOSURE

44-28247-13

for himself and three other co-defendants was furnished him by MILLARD GRUBBS as head of the NLEC. GRUBBS in his letter to MC MINOWAY further said that the question in this matter now results from a mistake made by the Clerk of the Court in issuing the receipts for the bonds as if each defendant had put up \$500. Further, GRUBBS noted that the day before the bonds were put up, GRUBBS had told Assistant Commonwealth's Attorney CARL OUSLEY that he, GRUBBS, was furnishing the money for the bonds.

In his letter GRUBBS further noted that on or about April 14, 1965, [REDACTED]

b7C

[REDACTED] Accordingly, on April 16, 1965, GRUBBS moved in open court to be released as surety on the bond of WRIGHT and to have the \$500 withdrawn as bail; that to GRUBBS' complete surprise he found objection to this motion being entered on the part of the Commonwealth's Attorney's Office, as well as the attorney for WRIGHT. In his letter GRUBBS therefore requested that MC MINOWAY immediately rectify the mistakes that occurred in the original issuance of the receipts for the bond money.

GRUBBS advised that to date he has heard nothing further in writing from MC MINOWAY.

GRUBBS further advised that on February 4, 1965, when the bond money was being placed with the clerk of the court, one of the defendants, WALTER T. MULLIKIN, was not in town and his bond money was placed later, which accounts for only \$2,000 rather than \$2500 being required on February 4, 1965. GRUBBS further confidentially said that the \$2,500 bond money in this case was supplied by CLARENCE R. DINWIDDIE as DINWIDDIE felt the defendants in this matter were indicted as a result of action they were taking in an effort to try to assist DINWIDDIE in the dispute between himself and the Urban Renewal Agency with respect to some of DINWIDDIE's property.

GRUBBS further said an individual who asked his name not be disclosed had told GRUBBS that former Federal

LS 44-643

3

Judge CHARLES DAWSON of Louisville, Kentucky, had indicated an interest in instant matter and may take some action to assist GRUBBS and his co-defendants.

In addition to the above, MILLARD GRUBBS advised that all motions in instant case in Criminal Court in Louisville are set to be heard at 2:00 p.m., May 6, 1965, and all defendants will have to appear but as of this time the Court of Appeals of Kentucky has rendered no decision on GRUBBS' petition that the court reconsider its original refusal to issue a writ of prohibition against Judge FRANK ROPKE. Accordingly, GRUBBS said he anticipates no court action in this matter on May 6, 1965, as the Criminal Court in Louisville, Kentucky, has no jurisdiction in this matter until the Court of Appeals renders its final decision on GRUBBS' petition.

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI 44-28247 DATE: 6/10/65

FROM : *BCB*
JK SAC, LOUISVILLE (44-643)

SUBJECT: b7C

C
[Redacted]
Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;
ET AL;
MILLARD D. GRUBBS -
VICTIM;
ET AL
CR

1- CC CRD
1- ~~Keep~~ CC CRU
6-14-65
6-94 *g*
KLB/*pd*

Re Louisville letter dated 5/10/65.

Enclosed are original and three copies of a letter-head memorandum of this date containing further information volunteered by victim GRUBBS.

One copy of the attachment, described in the enclosed, is attached to the original and one copy of the enclosed. *A*

A copy of the enclosed has been disseminated locally to the United States Attorney.

② - Bureau (Encs. 4) ENCLOSURE
1 - Louisville *A*

WLW/mfm
(3)

34
EXP. PROC.

REC-28 44-28247 14
EX-102
JUN 11 1965
JUN 11 1965
W
AB

JK
70 JUN 23 1965



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Louisville, Kentucky
June 10, 1965

b7C

[REDACTED]
Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;

[REDACTED]
Jefferson County, Kentucky;

[REDACTED]
Jefferson County, Kentucky;

[REDACTED]
Urban Renewal and Community
Development, Louisville, Kentucky;

Millard D. Grubbs - Victim;

[REDACTED] - Victim;

[REDACTED] - Victim;

[REDACTED] - Victim;

[REDACTED] - Victim

Civil Rights

Attention is invited to memoranda regarding captioned matter dated February 25, 1965; March 1, 19 and 31, 1965; April 6 and 12, 1965; and May 3 and 10, 1965.

Attached is a copy of report of interview containing information volunteered by Millard D. Grubbs, Louisville, Kentucky, on June 7, 1965.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

44-28247-114
ENCLOSURE

FEDERAL BUREAU OF INVESTIGATION

Date June 9, 1965

Pursuant to his telephonic request, MILLARD D. GRUBBS, 1427 South Sixth Street, Louisville, Kentucky, was contacted at his residence. He was alone and he advised as follows:

Information has recently come to his attention indicating to him that Louisville, Kentucky Commonwealth's Attorney EDWIN A. SCHROERING, JR. and Jefferson Circuit Court Judge FRANK A. ROPKE reportedly are interested in dropping the indictment returned against the co-defendants of GRUBBS and proceeding only against GRUBBS. GRUBBS feels this is a further indication of a violation of his civil rights by SCHROERING and ROPKE. GRUBBS had prepared the following statement which he signed in the presence of the Agents.

**"STATEMENT OF MILLARD D. GRUBBS RELATIVE TO THE DENIAL BY
STATE OFFICIALS OF HIS CONSTITUTIONAL AND CIVIL RIGHTS
UNDER COLOR OF LAW"**

"The undersigned, Millard D. Grubbs, voluntarily makes the following statements with reference to a conversation that took place on May 7, 1965, in the Law Office of Mr. James T. Robertson, Atty. at Law, Kentucky Home Life Building, Louisville, Kentucky, and Messrs Gordon Buttorff, James E. Finch, Attorney James T. Robertson, and the undersigned with reference to the indictment pending in court here against Paul B. Wright, John T. Gover, Millard D. Grubbs, James E. Finch, and Walter H. Mullikin, in which the said James Finch stated in substance: 'Judge Ropke had told him he was going to dismiss the indictment against all of the defendants except Mr. Grubbs.' Mr. Buttorff stated in substance during said conversation: 'Commonwealth Attorney, Edwin A. Schoering, Jr. had informed him that the indictment would be dropped against all except Mr. Grubbs and the National Law.'

On 6/7/65 at Louisville, Kentucky File # LS 44-643

b7C SA by SA WLW/mfm Date dictated 6/9/65

44-28247-14

"Mr. Albert A. Sicking of counsel for some of the defendants in the case, stated to the writer in the presence of Mr. John T. Gover, and Mr. Walter H. Mullikin, and in substance said: 'The said Commonwealth Attorney in conversations with him had said Mr. Grubbs and the National Law were the ones they were after.'

"A cursory examination of the copy of the indictment, which you have in this matter, shows that Mr. Grubbs, Mr. Mullikin, and Mr. Finch are charged in the second count of said indictment, with aiding and abetting the said charge contained in such indictment.

"This said indictment is the embodiment of malice and fear. It is a brazen-face attempt to frame innocent people and convict them of crimes of which they know they are not guilty in order to satisfy their ill will and to protect H. A. Lewis, who swore falsely in the condemnation suit for which he was arrested and Bob Zollinger, who the facts and circumstances strongly indicate suborned the said Lewis. These facts constitute a conspiracy to oppress, injury, intimidate, and deny the defendants their rights secured them by the Constitution and Laws of the United States, contrary to the Provisions of Sections 241 and 242 of the United States Code, Title 18.

"s/s Millard D. Grubbs
June 7, 1965

"Witnesses: s/s [redacted] Special Agent,
FBI, Lou. Ky.

b7C

s/s [redacted] Special Agent,
FBI, Lou. Ky."

GRUBBS further advised that since he last contacted the Louisville Office of the Federal Bureau of Investigation regarding this matter, the following developments in it have occurred.

The Court of Appeals has never issued a final ruling with respect to the motion filed by GRUBBS and his co-defendants to have Judge FRANK A. ROPKE vacate the bench and this matter be heard by another judge. However, Judge ROPKE, on his own, has had the case transferred to the court of Judge J. MILES POUND, Jefferson County Circuit Court-Criminal Branch. ROPKE has filed a petition with the Court of Appeals at Frankfort, Kentucky, to dismiss the motion by GRUBBS and his co-defendants to have Judge ROPKE vacate the bench inasmuch as ROPKE has voluntarily done so.

With respect to GORDON BUTTORFF, mentioned in his statement, GRUBBS advised that BUTTORFF formerly lived in Louisville, Kentucky, but now lives over in Indiana and is an acquaintance and friend of JAMES E. FINCH.

GRUBBS has had no recent contact with his co-defendant, PAUL BOYD WRIGHT, nor WRIGHT's attorney, LORAIN MIX. GRUBBS said he still believes WRIGHT will "turn against me" at the trial. GRUBBS' co-defendants, WALTER H. MULLIKIN and JOHN T. COVER, have employed their own attorney; namely, ALBERT A. SIKKING mentioned in the above statement of GRUBBS. His co-defendant, JAMES E. FINCH, has retained the services of attorney JAMES T. ROBERTSON, mentioned in the above statement of GRUBBS.

GRUBBS said he personally has not decided as to counsel he will retain. He said that recently the Birmingham, Alabama attorney MATT MURPHY, who defended the Klansman accused of murdering Mrs. VIOLA LUZZO in Alabama, volunteered his services gratis to GRUBBS in the event that GRUBBS desired him to come to Louisville and defend GRUBBS. GRUBBS said that it is well known that MURPHY is a full-time attorney for the "Klan" and that while he, GRUBBS, has never been a member of any Klan group and is not currently associated with any such group, "I am a defender of the Constitution of the U. S.". GRUBBS said he has further been told that MURPHY is a capable attorney and one not afraid to "fight" for what is right. GRUBBS said he had not made a final decision with respect to whether he should accept MURPHY's offer to serve as his attorney. GRUBBS commented that he knows that if he does accept the offer, he will be "smeared" by the Louisville press. However, on the other hand, he does want an attorney "who is not afraid to fight".

GRUBBS said he had recently been contacted by a number of ministers in Louisville who are quite upset about the action taken by local authorities against GRUBBS, and these ministers have obtained a petition with approximately 175 signatures thereon which they are going to present to the Jefferson County Grand Jury demanding the Grand Jury hear the charges upon which GRUBBS' co-defendants, GOVER and WRIGHT, arrested H. A. LEWIS. GRUBBS said some of the ministers interested in his behalf are Dr. ROBERT W. COOK (Phonetic), whom he described as a Baptist minister and who heads the group of petitioners; Pastors DORSE (Phonetic) and PENDLETON (Phonetic), not further identified; and Dr. GARRISON (Phonetic), whom he described as a Methodist minister, formerly assistant to the Methodist Bishop in Louisville.

GRUBBS said that the next action set in this matter is for June 18, 1965, in the court of Judge POUND, when the motions filed by GRUBBS and his co-defendants will be heard.

F B I

Date: August 18, 1965

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)

TO: DIRECTOR, FBI 44-28247

FROM: SAC, LOUISVILLE (44-643) (P)

RE: b7C

Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;
ET AL;
MILLARD D. GRUBBS -
VICTIM;
ET AL
CR

Re Louisville letter dated 6/10/65.

b7C

On 8/18/65, Victim GRUBBS volunteered information which he feels is evidence of an effort by [] SCHROERING to have the co-defendants of Victim GRUBBS' in the local matter pending against them, plead guilty and testify against GRUBBS, under which procedure his co-defendants would receive a minimum fine and GRUBBS a heavy penitentiary sentence.

LHM follows.

- 3 - Bureau
2 - Louisville

WLW/mjr
(5)

REC-66

EX 105

14 AUG 19 1965

C. C. Wick

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

57 SEP 14 1965

F B I

Date: 9/3/65

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

TO: DIRECTOR, FBI 44-28247

FROM: SAC, LOUISVILLE (44-643)

RE: b7C [REDACTED]

Jefferson Circuit Court,
Criminal Branch,
Louisville, Kentucky;
ET AL
MILLARD D. GRUBBS -
VICTIM;
ET AL
CR

Re Louisville letter 8/20/65 and previous
communications in captioned matter.

On 9/2/65 victim GRUBBS voluntarily furnished
additional data which he feels pertinent to instant matter
which is briefly that because of previous court actions
he initiated against some "political figures" in Kentucky,
he does not feel he can receive a fair trial in Kentucky.

LHM follows.

3 - Bureau
2 - Louisville

WLW/mm

(5)

REC-21

44-28247-16

10 SEP 24 1965

b7C

Approved: [Signature]

51 SEP 10 1965 Special Agent in Charge

Sent _____ M Per _____

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI 44-28247

DATE: 8/20/65

FROM : SAC, LOUISVILLE (44-643)

SUBJECT: b7C

Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;
ET AL
MILLARD D. GRUBBS -
VICTIM;
ET AL
CR

Re Louisville airtel dated 8/18/65.

Enclosed are original and three copies of a letterhead memorandum of this date containing information volunteered by victim GRUBBS on 8/18/65.

One copy of each of the attachments described in the enclosed is attached to the original and one copy of the enclosed.

A copy of the enclosed has been disseminated locally to the United States Attorney.

- ② - Bureau (Enc. 4)
- 1 - Louisville
- WLW/eb
- (3)

EX-100

"ENCLOSURE ATTACHED"

cc CRD
cc CRU
6-946

9-8-65

KLB/nmb

affidavit by
Walter Mallikain +
let by James E. Smith.

10 SEP 14 1965

REC-31

11 AUG 20 1965

b7C

EXP. PROC.



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Louisville, Kentucky
August 20, 1965

b7C

[REDACTED]
Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;

[REDACTED]
Jefferson County, Kentucky;

[REDACTED]
Jefferson County, Kentucky;

[REDACTED]
Urban Renewal and Community
Development, Louisville, Kentucky;
Millard D. Grubbs - Victim;

[REDACTED] - Victim;

[REDACTED] - Victim;

[REDACTED] - Victim;

[REDACTED] - Victim

Civil Rights

Attention is invited to memoranda regarding captioned matter dated February 25, 1965; March 1, 19, and 31, 1965; April 6 and 12, 1965; May 3 and 10, 1965, and June 10, 1965.

Attached is a copy of a report of interview containing information volunteered by Millard D. Grubbs, Louisville, Kentucky, on August 18, 1965.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

44-28247-17
ENCLOSURE

FEDERAL BUREAU OF INVESTIGATION

Date August 20, 1965

1

Pursuant to his telephonic request, MILLARD D. GRUBBS, 1427 South 6th Street, Louisville, Kentucky, was contacted in the office of the National Law Enforcement Committee, 2nd Floor, 1427 South 6th Street, Louisville, Kentucky. He was alone at the time of contact and volunteered the following:

Since he last contacted the FBI in June 1965, the following pertinent action has occurred in Criminal Court in Louisville, Kentucky, in connection with the indictment pending there against himself and his co-defendants PAUL B. WRIGHT, JOHN T. GOVER, JAMES E. FINCH, and WALTER H. MULLIKIN. The case came before Judge J. MILES POUND, Jefferson County Circuit Court - Criminal Branch, Louisville, Kentucky, in the latter part of May 1965, for arguing in connection with motions filed in the case. At that time Judge POUND heard no arguments but continued the case until July 27, 1965. On July 27, 1965, after hearing arguments, Judge POUND overruled the motion filed earlier by GRUBBS and his co-defendants to quash the indictment against them. The Judge overruled a motion at that time by Attorney LORRAINE MIX, JR., in behalf of defendant PAUL B. WRIGHT for a separate trial for WRIGHT. The Judge set November 30, 1965, as a trial date for all five defendants.

On August 16, 1965, GRUBBS filed a motion in Judge POUND's court requesting the Judge set aside his ruling against quashing the indictment pending against GRUBBS and his co-defendants.

In GRUBBS opinion, instant matter is not yet legally before Judge POUND's court, in that to date the Court of Appeals in Frankfort, Kentucky, has not handed down a final ruling on a petition submitted to the Court of Appeals previously by GRUBBS and his co-defendants

On 8/18/65 at Louisville, Kentucky File # LS 44-643

b7C

by SA /eb Date dictated 8/19/65

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

44-28247-17

for the Court of Appeals to set aside its earlier ruling against GRUBBS petition for the Court to order Judge FRANK A. ROPKE, before whom instant matter originally came, to vacate the bench because of prejudice. In addition the Court of Appeals has never issued a ruling on a petition filed by EDWIN A. SCHROERING, JR., Commonwealth Attorney of Louisville, Kentucky, during May 1965, in behalf of Judge FRANK A. ROPKE for the Court to set aside GRUBBS petition for Judge ROPKE to vacate the bench in view of Judge ROPKE having voluntarily had the case transferred to the court of Judge POUND. It is GRUBBS contention that until the Circuit Court of Appeals rules on these matters the Jefferson County Circuit Court is estopped from taking any further action in this case in view of the temporary restraining order issued by the Court of Appeals, Frankfort, Kentucky, on March 17, 1965, against Judge ROPKE proceeding in instant matter until the Court of Appeals could hand down a final decision on the petition to have Judge ROPKE vacate the bench. GRUBBS observed that although the Court of Appeals did issue a final ruling against GRUBBS petition to have Judge ROPKE vacate the bench, this ruling does not become final until the Court of Appeals rules on GRUBBS motion for it to reconsider the ruling. Hence, in GRUBBS opinion recent action in Jefferson Circuit Court - Criminal Branch, Louisville, Kentucky, regarding this case has not been in conformance with the law.

GRUBBS further advised that he is personally convinced that Commonwealth Attorney SCHROERING, together with ROBERT W. ZOLLINGER, Attorney for the Urban Renewal and Community Development in Louisville, Kentucky, are conspiring together in an effort to have GRUBBS co-defendants plead guilty and testify against GRUBBS in return for which they would receive a very light sentence and GRUBBS a heavy penitentiary sentence. As evidence of such conspiring, GRUBBS furnished a copy of the following documents:

LS 44-643

3

An affidavit by WALTER H. MULLIKIN dated August 6, 1965, in Jefferson County, Kentucky;

A copy of a document dated August 9, 1965, containing a copy of a statement made by JAMES D. FINCH.

A copy of each of the above described two documents is attached hereto.

With respect to the person referred to in MULLIKIN's affidavit of August 6, 1965, as "my informant" GRUBBS advised this person is Mrs. LEMAR (JOYCE) LOTT, nee MULLIKIN, WALTER H. MULLIKIN's daughter who currently resides in Lexington, Kentucky, where her husband manages the Hannah Oldsmobile Agency.

GRUBBS advised that JAMES E. FINCH is most willing to put the information in his letter in the document of August 9, 1965, in the form of an affidavit and did not do so originally as GRUBBS and JOHN T. GOVER contacted FINCH late one afternoon about 15 miles out of Nashville, Indiana, where FINCH resides, at which time FINCH was driving a bulldozer working on developing an artificial lake in the area for a man named BENDER (phonetic). At the time of contact there was not sufficient time available to proceed to Nashville, Indiana, to obtain a notary for preparation of the affidavit.

GRUBBS also advised that GORDON BUTTORFF, formerly of Louisville, Kentucky, and now residing in Nashville, Indiana, has told GRUBBS that JAMES E. FINCH has told BUTTORFF the same information as is contained in FINCH's letter and hence BUTTORFF can corroborate the fact that FINCH does possess this information.

Aug. 9, 1965

Quoted below is an exact copy of letter written by Mr. James E. Finch in his own hand relative to the criminal conspiracy by public servants against the Honorable Millard D. Grubbs:

" TO WHOM IT MAY CONCERN:

I was in the Jefferson Circuit Court Room, Criminal Division, Judge Miles Pound's Court, on July 27, 1965, at about 2.30 P. M. at which time a motion to quash an indictment against Paul B. Wright & others charged with making a false arrest was being heard. I saw Walter H. Mullikin's daughter talking or confering with Bob Zollinger, Urban Renewal Attorney and could not hear what was said but it appeared to me to be a matter of some urgency.

On, or about April 17, 1965, I was confering with Ed Schoering, Jr., Commonwealth Attorney, and during said conversation he in substance stated: " We cannot dismiss against you at this time because it would prejudice our case against the others, we are not trying to hurt you, but we do want to get Mr. Grubbs. He has been making trouble for years and we want to put him away.

Signed - James E. Finch

*Witnessed by
John T. Gove*

44-24247-17

ENCLOSURE

44-28247-17

F B I

Date: 9/7/65

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

TO: DIRECTOR, FBI 44-28247
FROM: SAC, LOUISVILLE (44-643) (C)
SUBJECT: [REDACTED]

b7C

Jefferson Circuit Court,
Criminal Branch,
Louisville, Kentucky;
ET AL
MILLARD D. GRUBBS -
VICTIM;
ET AL
CR

Re Louisville airtel dated 9/3/65.

Enclosed are original and three copies of a
letterhead memorandum of this date containing information
volunteered by victim GRUBBS on 9/2/65.

A copy of the enclosed has been disseminated
locally to the United States Attorney.

3 Bureau (Enc. 4)
1-Louisville
WLW/plh
(4)

100 2 PD
100 CRU
6-94 G
4-10-63
H. B. [unclear]

REC 1

44-28247-18

EX-101

SEP 10 1965

ENCLOSURE

Approved: _____

60 SEP 16 1965
Special Agent in Charge

Sent _____

M

Per _____



In Reply, Please Refer to
File No.

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Louisville, Kentucky
September 7, 1965

b7C

[REDACTED]
Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;

[REDACTED]
Jefferson County, Kentucky;

[REDACTED]
Jefferson County, Kentucky;

[REDACTED]
Urban Renewal and Community
Development, Louisville, Kentucky;

Millard D. Grubbs - Victim;

[REDACTED] - Victim;

[REDACTED] - Victim;

[REDACTED] - Victim;

[REDACTED] - Victim

Civil Rights

Attention is invited to memoranda regarding
captioned matter dated February 25, 1965; March 1, 19
and 31, 1965; April 6 and 12, 1965; May 3 and 10, 1965;
June 10, 1965, and August 20, 1965.

Attached is a copy of a report of interview containing
information volunteered by Millard D. Grubbs, Louisville,
Kentucky, on September 2, 1965.

This document contains neither recommendations nor conclusions
of the FBI. It is the property of the FBI and is loaned to
your agency; it and its contents are not to be distributed
outside your agency.

44-28247-18
ENCLOSURE

FEDERAL BUREAU OF INVESTIGATION

Date September 7, 1965

1

MILLARD D. GRUBBS, 1427 South Sixth Street, Louisville, Kentucky, telephonically contacted the Louisville Office of the FBI making reference to his recent previous contacts with the FBI and advising as follows:

A number of years ago he brought suit in Federal Court in Louisville against "some high political individuals" and is now of the opinion that because of his former suits against such individuals he will be unable to obtain a fair trial in either Local or Federal Court in Kentucky with respect to the current indictment outstanding against him by the Jefferson County, Kentucky, Grand Jury.

In support of his belief he observed that shortly after his current indictment by the Jefferson County Grand Jury he heard that Jefferson County Criminal Court Judge FRANK A. ROPKE, before whom the matter was then pending, had made remarks about his, GRUBBS', having been disbarred as an attorney in Kentucky many years ago. GRUBBS observed that the disbarment occurred about 40 years ago and certainly was in no way an issue in the current case pending against him. GRUBBS feels that ROPKE brought up this matter merely in an effort to stir up "prejudice" against him. In this respect GRUBBS observed that one of the suits GRUBBS brought in Federal Court, referred to above, was in 1932, and FRANK ROPKE, then an attorney, was one of the attorneys on the brief submitted by the individuals whom GRUBBS had sued.

GRUBBS commented that he felt the issues involved in the two suits he brought in Federal Court are of pertinence to instant matter in that they will show the extent of prejudice that exists against him. He said he had asked the Clerk of the Federal Court in Louisville, Kentucky, to have the files covering the two suits available for his review. He contemplates reviewing the same after which he will submit a memorandum to the Louisville Office of the FBI pointing out the issues in the suits and the manner in which he feels these may be pertinent to instant matter.

On 9/2/65 at Louisville, Kentucky File # LS 44-643

b7C

by SA /plh Date dictated 9/7/65

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ENCLOSURE

44-28247-18

GRUBBS also observed that recently a petition filed by over "200 citizens" had been presented to Jefferson County Criminal Court Judge J. MILES POUND, before whom the current indictment against GRUBBS is pending, asking that Judge POUND have the Jefferson County, Kentucky, Grand Jury hear the charges against H. A. LEWIS of Urban Renewal and Community Development Agency, Louisville, Kentucky, based on which charges the citizen's arrest of LEWIS was made on January 14, 1965, by associates of GRUBBS' with GRUBBS' direction. It was as a result of this arrest that GRUBBS and his associate are currently under indictment in Jefferson County, Kentucky. GRUBBS said that Judge POUND did not submit the matter for consideration by Grand Jury, but GRUBBS understands Judge POUND gave a copy of the petition to Commonwealth Attorney EDWIN A. SCHROERING, JR. GRUBBS further said that Judge POUND had said that rather than making a citizen's arrest of LEWIS, GRUBBS should have sought a local warrant against LEWIS and GRUBBS would not currently be in the difficulty in which he now finds himself.

GRUBBS further stated that Judge POUND reportedly had said to an acquaintance of GRUBBS' that GRUBBS should get rid of Attorney JIM TOM ROBERTSON, who in the initial action after GRUBBS' indictment was acting in behalf of GRUBBS. GRUBBS commented that such a remark by a judge in his opinion was highly irregular and is indicative of further prejudice against GRUBBS.

GRUBBS also commented that he anticipated filing an action in the Court of Appeals, Frankfort, Kentucky, on September 6 or 7, 1965, requesting that the court order Judge J. MILES POUND to dismiss the indictment currently pending against GRUBBS as it does not state any specific facts which constitute the alleged false arrest.

GRUBBS further commented that he does not feel the Civil Rights Division of the United States Department of Justice will order any action in instant matter in his behalf as he feels he has incurred the enmity of the current National Administration because of his past writings mentioning specifically that during the last Presidential campaign he had written an

LS 44-643

3

article in behalf of the then Senator BARRY GOLDWATER which was most critical about "that bizarre double murder in Dallas, Texas, in November, 1963," and in addition he once wrote a very critical article about former President TRUMAN and the former President's firing of General of the Army DOUGLAS McARTHUR.

GRUBBS commented, "I have never tried to cheat or wrong anybody, but I stand firmly for my rights, speak quite bluntly and at times have made some people quite mad."

F B I

Date: 9/24/65

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

TO: DIRECTOR, FBI 44-28247
FROM: SAC, LOUISVILLE (44-643) (P)
SUBJECT: [REDACTED] b7C
Jefferson Circuit Court,
Criminal Branch,
Louisville, Kentucky;
ET AL
MILLARD D. GRUBBS - VICTIM
ET AL
CR

Re Louisville airtel dated 9/7/65.

On 9/24/65, victim GRUBBS telephonically contacted this office furnishing information concerning his recently having filed a motion with the Court of Appeals, Frankfort, Kentucky, requesting that Jefferson Circuit Court Judge J. MILES POUND be disqualified from further proceedings in the case pending against GRUBBS.

Letterhead memorandum follows.

③ - Bureau
1 - Louisville
WLW/eb
(4)

EX-100

REC-24

44-28247-19

11 SEP 25 1965

C. G. Wick

53 SEP 30 1965

Special Agent in Charge

Sent _____ M Per _____

F B I

Date: 9/29/65

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)

TO: DIRECTOR, FBI 44-28247-

FROM: SAC, LOUISVILLE (44-643) (C)

SUBJECT:
 Jefferson Circuit Court,
 Criminal Branch,
 Louisville, Kentucky;
 ET AL
 MILLARD D. GRUBBS - VICTIM;
 ET AL
 CR

b7C

Re Louisville airtel dated 9/24/65.

Enclosed are original and three copies of a
 letterhead memorandum of this date incorporating information
 volunteered by victim GRUBBS on 9/24/65.

A copy of the enclosed has been disseminated
 locally to the USA.

- ③ - Bureau (Encs. 4)
 1 - Louisville

WLW/mfm
 (4)

EX 110

REC-49

44-28247-20

16 SEP 30 1965

1cc - CRK
 1cc - CRKmt
 9-30-65
 694-C
 KLB/emw

261 30 3 21 AM

RECEIVED
 FBI - LOUISVILLE
 SEP 30 1965

Approved: _____ Sent _____ M Per _____

OCT 7 1965 Special Agent in Charge



In Reply, Please Refer to
File No.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Louisville, Kentucky
September 29, 1965

b7C

[REDACTED]
Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;

[REDACTED]
Jefferson County, Kentucky;

[REDACTED]
Jefferson County, Kentucky;

[REDACTED]
Urban Renewal and Community
Development, Louisville, Kentucky;
Millard D. Grubbs - Victim;

[REDACTED] - Victim;

[REDACTED] - Victim;

[REDACTED] - Victim

Civil Rights

Attention is invited to memoranda regarding captioned matter dated February 25, 1965; March 1, 19 and 31, 1965; April 6 and 12, 1965; May 3 and 10, 1965; June 10, 1965; August 20, 1965 and September 7, 1965.

Attached is a copy of a report of interview containing information volunteered by Millard D. Grubbs, Louisville, Kentucky, on September 24, 1965.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

44 - 28247 - 20
ENCLOSURE

FEDERAL BUREAU OF INVESTIGATION

Date September 27, 1965

MILLARD D. GRUBBS, 1427 South 6th Street, Louisville, Kentucky, telephonically contacted the Louisville Office of the Federal Bureau of Investigation and advised as follows:

On September 8, 1965, GRUBBS filed with the Court of Appeals, Frankfort, Kentucky, motion to disqualify Jefferson County Criminal Court Judge J. MILES POUND from sitting further with respect to a case of GRUBBS and his co-defendants in the Criminal Court in Louisville, Kentucky. GRUBBS said that his motion to disqualify Judge POUND is based on Judge POUND's arbitrary action in overruling on July 27, 1965, the motion submitted by GRUBBS to Judge POUND to quash the indictment pending against GRUBBS.

b7C GRUBBS asked if the Civil Rights Division, United States Department of Justice, had requested the Federal Bureau of Investigation in Louisville to conduct any investigation concerning GRUBBS' complaint. GRUBBS was advised that insofar as was known to Special Agent [] no request for such investigation had been received by the Louisville Office of the Federal Bureau of Investigation. GRUBBS further inquired as to whether or not the information GRUBBS has furnished to date to the Louisville Office of the Federal Bureau of Investigation, in addition to having been made available to the Civil Rights Division, United States Department of Justice, Washington, D.C., by the Federal Bureau of Investigation, was also made available to the United States Attorney at Louisville, Kentucky. Special Agent [] b7C advised GRUBBS that a copy of all material furnished by the Federal Bureau of Investigation, Louisville, Office, to its Washington, D.C. headquarters for transmittal to the Civil Rights Division, United States Department of Justice, had been mailed by the Louisville Federal Bureau of Investigation Office to the office of the United States Attorney, Louisville, Kentucky, in accordance with established procedures.

GRUBBS further commented that he feels certain that the "Civil Rights group in Washington is not going to help any white rightist or help any white man who is standing on the side

On 9/24/65 at Louisville, Kentucky File # LS 44-643

b7C

by SA [] / rar Date dictated 9/24/65

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

44-28247-20
ENCLOSURE

LS 44-643

2

of the constitution, but that if any Nigger complains, the Civil Rights group will order action."

26

F B I

Date: 10/7/65

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

TO: DIRECTOR, FBI (42-28247) FD 217 LC 10-13-22

FROM: SAC, LOUISVILLE (44-643)

SUBJECT: [REDACTED]

b7C

Jefferson Circuit Court
Criminal Branch,
Louisville, Kentucky;
ET AL
MILLARD D. GRUBBS - VICTIM;
ET AL
CR

Re Louisville airtel 9/29/65.

On October 7, 1965, Victim GRUBBS telephonically contacted the Louisville office advising that on 10/5/65 the Court of Appeals of Kentucky handed down a decision denying GRUBBS' petition to that court in April 1965 to reconsider the Court's ruling of March 26, 1965, wherein the Court denied a petition by GRUBBS to have Judge FRANK A. ROPKE, Circuit Court, Louisville, disqualified to sit in the local case involving GRUBBS [REDACTED]. GRUBBS said the 10/5/65 Circuit Court of Appeals ruling was to the effect that GRUBBS' petition for writ of prohibition against Judge ROPKE is denied. GRUBBS observed that this ruling had really no effect in that ROPKE several months ago voluntarily vacated the bench and GRUBBS' case is now being heard by Circuit Court Judge J. MILES POUND and GRUBBS has pending with the Court of Appeals of Kentucky a petition to have that court prohibit Judge POUND from acting in the case.

b7C

Letterhead memorandum follows.

3 - Bureau
2 - Louisville
WLW/eb
(5)

REC-58

EX-112

8

11 08 PM

3 OCT 8 1965

69007

FBI BCB
15-1965

Special Agent in Charge

Sent _____ M Per _____

[Signature]

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (44-28247)

DATE: 10/12/65

[Signature] : SAC, LOUISVILLE (44-643) (C)

SUBJECT:

b7C

Jefferson Circuit Court
Criminal Branch,
Louisville, Kentucky;

ER AL

JA MILLARD D. GRUBBS - VICTIM;

ET AL

CR

Re Louisville airtel to Bureau dated 10/7/65.

Enclosed are original and 3 copies of a letterhead memorandum dated 10/12/65 regarding captioned matter. A copy of the enclosed has been disseminated locally to the USA, Louisville, Kentucky.

2-Bureau (Enc.
1-Louisville
WLW/plh
(3)

8 ENCLOSURE

EXP. 11/1/65

REC-38

44-28247-22

OCT 13 1965

EX-103

b7C

1CC - CRD
1CC - CR/mt
90-14-65
694-C
COC/em m
~96



5010-108

55 OCT 19 1965

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan



In Reply, Please Refer to
File No.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Louisville, Kentucky
October 12, 1965

b7C

[REDACTED]
Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;

[REDACTED]
Jefferson County, Kentucky;

[REDACTED]
Jefferson County, Kentucky;

[REDACTED]
Urban Renewal and Community
Development, Louisville, Kentucky;
Millard D. Grubbs - Victim;

[REDACTED] - Victim;

[REDACTED] - Victim;

[REDACTED] - Victim

Civil Rights

Attached is a copy of a report of interview containing
information volunteered in this matter on October 7, 1965, by
Millard D. Grubbs, 1427 South Sixth Street, Louisville, Kentucky.

This document contains neither recommendations nor conclusions
of the FBI. It is the property of the FBI and is loaned to
your agency; it and its contents are not to be distributed
outside your agency.

44-28247-22
ENCLOSURE

FEDERAL BUREAU OF INVESTIGATION

Date October 11, 1965

1

MILLARD D. GRUBBS, 1427 South 6th Street, Louisville, Kentucky, telephonically furnished the following information:

On the morning of October 7, 1965, he had received notification through the United States mails that the Court of Appeals in Frankfort, Kentucky, on October 5, 1965, had rendered a decision wherein the court denied the petition of GRUBBS and his codefendants for a writ of prohibition against FRANK A. ROPKE, Judge, Jefferson County Circuit Court. The Court of Appeals further ruled that the respondent recover the costs in the matter. The order was signed by Chief Justice JOHN MOORMAN.

Mr. GRUBBS said that the above order was in response to a petition filed by GRUBBS and his codefendants in April, 1965, that the Court of Appeals reconsider its ruling of March 26, 1965, denying an earlier petition by GRUBBS and his codefendants to have Judge FRANK A. ROPKE vacate the bench and not sit in the case against GRUBBS and his codefendants. Mr. GRUBBS commented that ordinarily the Court of Appeals would not have waited so long to render a final decision in this matter that the decision of October 5, 1965, actually had no effect in the matter now as Judge ROPKE has long ago stepped aside and the case against GRUBBS and his codefendants is now before Judge J. MILES POUND. GRUBBS further observed that he has pending with the Court of Appeals, Frankfort, Kentucky, a petition to prevent Judge POUND from sitting further in the case. A possible explanation of why the Court of Appeals took so long to make a final ruling with respect to Judge ROPKE in GRUBBS' opinion might have been the fact that the court adjourned in June, 1965, and did not reconvene for business until September 13, 1965.

Mr. GRUBBS commented that he does not much faith in the Court of Appeals acting favorably towards any petition he might make as the members of the court know he is against "Socialism." He commented that acts by the court will not cause him to cease being against "Socialism" but will only cause his opposition to it to grow. He said that he is not

On 10/7/65 at Louisville, Kentucky File # LS 44-643

b7C

by SA [redacted] / rar Date dictated 10/11/65

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

44-28247-22
ENCLOSURE

b7C going to be denied those rights of his "that are elemental." He commented that he will continue his fight by legal means until he can find "a decent court" which will protect his rights. He recalled that Judge FRANK A. ROPKE in the beginning of the instant proceedings had remarked that he, GRUBBS, has no standing in court in that GRUBBS was disbarred as an attorney many years ago. Mr. GRUBBS said that "I have as much standing in court as anybody" and Judge ROPKE "had no right to make that remark about me." Mr. GRUBBS further recalled that Judge J. MILES POUND, after taking over the case from Judge ROPKE, had told [redacted] that the defendants in the matter, which includes GRUBBS, "ought to get rid of ROBERTSON." Mr. GRUBBS said the reference was to Attorney JAMES T. ROBERTSON, a friend of GRUBBS' and this remark by Judge POUND in GRUBBS' opinion is prejudicial and biased.

Mr. GRUBBS further remarked that recently "a man from California" has been in Louisville and is staying with Mr. GRUBBS. He said this man had an organization similar to "my organization," meaning the National Law Enforcement Committee, and that this man is impressed with the current case involving GRUBBS and will stay in Louisville to help GRUBBS fight to win the case. Mr. GRUBBS declined to identify the man from California, stating that the man is not an attorney and does not want to get his name involved at this time.

During the conversation, Mr. GRUBBS remarked that he has not seen his codefendant PAUL B. WRIGHT for some few months and that WRIGHT "knows better than to come around to see me" in view of the information previously received indicating that WRIGHT may testify against GRUBBS in their forthcoming trial, which is still set for November 30, 1965.

F B I

Date: 10/19/65

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)

TO: DIRECTOR, FBI (44-28247)
FROM: SAC, LOUISVILLE (44-643) (P)
SUBJECT: [REDACTED]

b7C

Jefferson Circuit Court,
Criminal Branch,
Louisville, Kentucky;
ET AL;
MILLARD D. GRUBBS - VICTIM;
ET AL
CR

Re Louisville airtel to Bureau dated 10/12/65.

On 10/18/65 victim GRUBBS telephonically contacted this office advising that on 10/16/65 he had received an Order, dated 10/13/65, signed by JOHN R. MOORMAN, Chief Justice, Court of Appeals, Frankfort, Ky., wherein the Court ordered that a petition previously submitted by GRUBBS for a rehearing to an earlier ruling by the Court against a petition by GRUBBS to overturn a condemnation ruling by the Common Pleas Branch of the Jefferson County Circuit Court be stricken from the record, and that a motion for oral arguments in the matter be overruled. GRUBBS explained that the original condemnation ruling was against property owned by GRUBBS' friend, CLARENCE DINWIDDIE. As an outgrowth of the DINWIDDIE matter, GRUBBS [REDACTED] currently under indictment in Jefferson County in connection with a charge of false arrest or aiding and abetting a false arrest.

b7C

During his telephonic conversation of 10/18/65, victim GRUBBS expressed extreme anger at the actions of the Jefferson Circuit Court and the Court of Appeals, and indicated the possibility that he may have citizens' arrests made of "the whole bunch" (no names mentioned by GRUBBS)

③ - Bureau
2 - Louisville

REC 41

EX 109

WLW/mfm

(5)

Approved: *F127*

Special Agent in Charge

Sent

M

Per

16 OCT 21 1965

LS 44-643

for what he feels is a conspiracy to deprive him and the other victims of their Civil Rights.

Local and State authorities, along with Secret Service, Louisville, Ky., have been notified of the possibility GRUBBS may attempt to have citizens' arrests made.

LHM follows.

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (44-28247)

FROM : SAC, LOUISVILLE (44-643) (C)

SUBJECT: [REDACTED]
b7C

DATE: October 21, 1965

Jefferson Circuit Court -
Criminal Branch
Louisville, Kentucky;
Et Al
MILLARD D. GRUBBS - VICTIM
Et Al
CR

1cc - CRD
1cc - CR Unit
1cc - Secret Service via O-1
10-22-65
644-C
KLB/cmm

Reference Louisville airtel to Bureau dated October 19, 1965.

Enclosed are original and three copies of a letterhead memorandum dated October 21, 1965, regarding captioned matter. A copy of the enclosed has been disseminated locally to the United States Attorney, Louisville, Kentucky.

In view of the information in the enclosed stated by MILLARD GRUBBS to the effect he might possibly make citizens' arrests of certain people not named by him, but apparently referring to local judges and judges of the Court of Appeals, Frankfort, Kentucky, information in the enclosed was telephonically furnished by SA [REDACTED] on October 19, 1965, to Colonel WILLIAM E. BINDNER, Chief of Police, Louisville, Kentucky, [REDACTED] Intelligence Unit, Kentucky State Police, Frankfort, Kentucky, and SA [REDACTED] United States Secret Service, Louisville, Kentucky.

This office, on January 8, 1964, furnished Secret Service, Louisville, a comprehensive letterhead memorandum regarding MILLARD GRUBBS (copy furnished Bureau as enclosure to Louisville letter to Bureau dated May 14, 1964, entitled "TROPUS") and memoranda concerning his National Law Enforcement Committee (NLEC) on January 15 and 24, 1965, and February 3, 1965. Copies of these memoranda were furnished to Bureau on the dates indicated in connection with Bufile 105-69012 regarding the NLEC.

REC-79

44-28247-24

Bureau will be appropriately advised in the event further data may be received in captioned matter.

- 2 - Bureau (Encs. 4)
4 - Louisville (1 - 44-643)
1 - 62-996 - MILLARD GRUBBS)
1 - 100-4671 - TROPUS)
1 - 105-280 - NLEC)

18 OCT 22 1965

b7C



5010-108

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan



In Reply, Please Refer to
File No.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Louisville, Kentucky
October 21, 1965

b7C

[REDACTED]
Jefferson Circuit Court -
Criminal Branch
Louisville, Kentucky;

[REDACTED]
Jefferson County, Kentucky;

[REDACTED]
Jefferson County, Kentucky;

[REDACTED]
Urban Renewal and Community
Development, Louisville, Kentucky;
Millard D. Grubbs - Victim

[REDACTED] - Victim

[REDACTED] - Victim

[REDACTED] - Victim

Civil Rights

Attached is a copy of a report of interview
containing information volunteered in this matter on
October 18, 1965, by Millard D. Grubbs, 1427 South 6th
Street, Louisville, Kentucky.

This document contains neither recommendations nor
conclusions of the FBI. It is the property of the
FBI and is loaned to your agency; it and its contents
are not to be distributed outside your agency.

ENCLOSURE 44-28247-24

FEDERAL BUREAU OF INVESTIGATION

Date October 20, 1965

1

MILLARD D. GRUBBS, 1427 South 6th Street, Louisville, Kentucky, telephonically furnished the following data:

On Saturday, October 16, 1965, he had received through the United States Mails, an order dated October 13, 1965, signed by JOHN R. MOORMAN, Chief Justice, Court of Appeals, Frankfort, Kentucky. The order reads:

"It is ordered that the petition for re-hearing undertaken to be filed herein by Millard D. Grubbs as 'Attorney in Fact' be and is hereby stricken.

Accordingly, it is ordered also that the motion by council for appellants for oral argument is over-ruled."

GRUBBS said that the petition referred to in the above order was a petition he filed with the Court of Appeals in June, 1965, for the Court to reconsider its earlier ruling denying a petition for the Court to over-turn a condemnation ruling by Judge DOWNING of the Common Pleas Branch, Fourth District of the Jefferson Circuit Court, Louisville, Kentucky. The condemnation ruling was against property owned by GRUBBS' friend, CLARENCE R. DINWIDDIE. It was as a result of GRUBBS' action in behalf of DINWIDDIE that GRUBBS and others were indicted in February, 1965, by a Jefferson County, Kentucky, Grand Jury on charges relating to false arrests.

GRUBBS expressed extreme anger at the Court of Appeals order of October 13, 1965, pointing out that the order cited no reason, no cause, no authority, or no basis whatsoever for the ruling. GRUBBS said that in an effort to find out as to why the order had been issued, he telephoned a man named SCOTT, whom he identified as an Assistant Clerk of the Court of Appeals of Kentucky; that SCOTT said he would check with Chief Justice MOORMAN about the matter and that

On 10/18/65 at Louisville, Kentucky File # LS 44-643

b7C
by SA /mjr Date dictated 10/19/65

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

44-28247-24
ENCLOSURE

SCOTT later phoned GRUBBS advising that Judge MOORMAN had said that GRUBBS was not a member of the Bar and the petition for re-hearing should be filed by the Attorney of Record and not GRUBBS. GRUBBS said that Judge MOORMAN's explanation is entirely erroneous and that GRUBBS "or anyone" has the right to file a document as "Attorney in Fact." He said that he did so file the petition at the urgent request of C. R. DINWIDDIE, the party affected. At the time of the filing, Attorney JAMES T. ROBERTSON was the Attorney of Record, but ROBERTSON was ill at the time and unable to complete the petition in the required time and GRUBBS handled the preparation and filing of the petition as his friend DINWIDDIE "begged me to do it."

GRUBBS was extremely angry that the Court of Appeals had "stricken" his petition from the record. He commented that "MOORMAN was a police commissioner here (Louisville, Kentucky) in 1952 and is a product of the City Hall crowd - ROPE, POUND, SCHROEDER, and all the rest." GRUBBS commented "No damn crooked judges are going to deny me rights guaranteed me by the Constitution and the State." He further commented, "These judges are not going to continue in their way of robbing the people." He said, "I have an organization (not named by GRUBBS but in the past he has referred to the National Law Enforcement Committee as his organization) and I'm thinking about calling members of my organization to Louisville to sign citizens' arrests warrants against the whole bunch and take them into Federal Court." He said, "This crowd is not going to continue to commit treasonable acts and get away with it."

When asked for the names of individuals for whom he might plan citizens' arrests, GRUBBS furnished no names but said, "There are eight or ten of them." He further said that he hesitates to call members of his organization to Louisville as this would be expensive - mentioning people would have to come from California, Florida, Louisiana, and Illinois, and the organization, of course, would have to stand the expenses - which would be difficult.

GRUBBS further said that Attorney JAMES T. ROBERTSON had gone to Frankfort, Kentucky, on October 18, 1965, to see if he could get the Court of Appeals to change

its ruling of October 13, 1965. However, GRUBBS does not have much hope ROBERTSON will be successful.

GRUBBS further commented, "I love this Country and while there is no perfect government as long as human beings run it, our Government originally was the nearest thing to perfection people could reach for but the whole plan has been diverted by some from the plan of God - the advancement of the Christian faith." He said, "The Mayflower Contract was a great historic document drawn up by a humble people - it came from the hearts and brains of men in flight from political tyranny. The great tragedy is that some people, for a job or for this or for that, have sat by and seen our Country almost overthrown - men that love war, love to kill, love to bully somebody around, have got in control. People are tired of Johnson and his gang riddling this Country because of the niggers."

GRUBBS further commented that he knows by now that the Attorney General of the United States will not order a Federal investigation into his complaint.

F B I

Date: 10/25/65

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)

TO: DIRECTOR, FBI (44-28247)
FROM: SAC, LOUISVILLE (44-643) (P)
SUBJECT: [REDACTED]

b7C

Jefferson Circuit Court -
Criminal Branch
Louisville, Kentucky;
ET AL;
MILLARD D. GRUBBS - VICTIM;
ET AL
CR

Re Louisville letter to Bureau dated 10/21/65.

On 10/25/65 victim GRUBBS telephonically advised he wanted the record to reflect that Mrs. JOYCE LOUISE LOTT has now submitted an Affidavit, dated 10/20/65, wherein she states she is the "informer" referred to in the Affidavit submitted on 8/6/65 by her father, WALTER H. MULLIKIN. Further, in her Affidavit she states that the statements contained in her father's Affidavit of 8/6/65 are true.

A copy of the 8/6/65 Affidavit of WALTER H. MULLIKIN was made available by GRUBBS on 8/18/65 and was attached to a report of interview of GRUBBS, dated 8/20/65, which was included in the attachments with Louisville LHM of 8/20/65 regarding captioned matter.

LHM will follow.

③ - Bureau
2 - Louisville

WLW/mfm
(5)

REC-48

44-28247-25

C. C. Wick

OCT 26 1965

Approved: 2/18
51 NOV 1 1965 Sent in ChargeSent _____ M Per KLB

Date 11-1-65 *83*

To:

☒ Director

FILE # 44-28247

Att.: _____ b7C

☐ SAC _____ Title

☐ ASAC _____

Et Al; Millard D. Grubbs,
Et Al - Victims; CR

☐ Supv. _____

☐ Agent _____

☐ SE _____

☐ IC _____

☐ CC _____

☐ Steno _____

☐ Clerk _____

ACTION DESIRED

- | | |
|--|---|
| <input type="checkbox"/> Acknowledge | <input type="checkbox"/> Open Case |
| <input type="checkbox"/> Assign _____ Reassign _____ | <input type="checkbox"/> Prepare lead cards |
| <input type="checkbox"/> Bring file | <input type="checkbox"/> Prepare tickler |
| <input type="checkbox"/> Call me | <input type="checkbox"/> Recharge serials |
| <input type="checkbox"/> Correct | <input type="checkbox"/> Return assignment card |
| <input type="checkbox"/> Deadline _____ | <input type="checkbox"/> Return file |
| <input type="checkbox"/> Deadline passed | <input type="checkbox"/> Return serials |
| <input type="checkbox"/> Delinquent | <input type="checkbox"/> Search and return |
| <input type="checkbox"/> Discontinue | <input type="checkbox"/> See me |
| <input type="checkbox"/> Expedite | <input type="checkbox"/> Send Serials _____ |
| <input type="checkbox"/> File | to _____ |
| <input type="checkbox"/> For information | <input type="checkbox"/> Submit new charge out |
| <input type="checkbox"/> Initial & return | <input type="checkbox"/> Submit report by _____ |
| <input type="checkbox"/> Leads need attention | <input type="checkbox"/> Type |
| <input type="checkbox"/> Return with <i>ex</i> planation or notation as to action taken. | |

Re LS ~~airtel~~ 10-27-65 enclosing FD-302, 10-27-65 recording interview victim Grubbs, 10-25-65.

Please make following changes your copies FD-302:

Paragraph 2, line 11, page 1, and 1st full paragraph, line 2, page 2, change word August to October. Line 5, last paragraph, page 2, change word "they" to "them." LS and USA copies corrected.

SAC
by
Office Louisville

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (44-28247)

DATE: 10/27/65

FROM : SAC, LOUISVILLE (44-643) (C)

SUBJECT:

b7C

Jefferson Circuit Court -
Criminal Branch
Louisville, Kentucky;
ET AL;
MILLARD D. GRUBBS - VICTIM;
ET AL
CR

Re Louisville airtel dated 10/25/65 to Bureau.

Enclosed are original and three copies of a
letterhead memorandum dated 10/27/65 regarding captioned matter.

A copy of the enclosed has been disseminated locally
to USA, Louisville, Kentucky.

The Bureau will be advised in the event further
data is received regarding this matter.

2-Bureau (Enc. 4)
1-Louisville
WLW/plh
(3)

ENCLOSURE

EXP. PROC.
34

100000

10/28/65

REC-49

6-94 (G)

KCB/bjs

KCB/bjs

44-28247-26

ST-108

OCT 30 11 03 AM

OCT 28 1965



5010-108

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan



In Reply, Please Refer to
File No.

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Louisville, Kentucky
October 27, 1965

b7C

[REDACTED]
Jefferson Circuit Court -
Criminal Branch
Louisville, Kentucky;

[REDACTED]
Jefferson County, Kentucky;

[REDACTED]
Jefferson County, Kentucky;

[REDACTED]
Urban Renewal and Community
Development, Louisville, Kentucky;
Millard D. Grubbs - Victim;

[REDACTED] - Victim;

[REDACTED] - Victim;

[REDACTED] - Victim

Civil Rights

Attached is a copy of a report of interview
containing information volunteered in this matter on
October 25, 1965, by Millard D. Grubbs, 1427 South Sixth
Street, Louisville, Kentucky.

This document contains neither recommendations nor
conclusions of the FBI. It is the property of the FBI
and is loaned to your agency; it and its contents are
not to be distributed outside your agency.

ENCLOSURE

44-28247-26

FEDERAL BUREAU OF INVESTIGATION

Date October 27, 1965

1

MILLARD D. GRUBBS, 1427 South 6th Street, Louisville, Kentucky, telephonically furnished the following information:

In August, 1965, he had made available a copy of an affidavit submitted by WALTER H. MULLIKIN dated August 6, 1965, in which MULLIKIN swore that an "informer" had advised MULLIKIN that ROBERT W. ZOLLINGER, Attorney for the Urban Renewal and Community Development Agency in Louisville, Kentucky, had indicated that the purpose of the current indictment against MULLIKIN, GRUBBS, and others was really aimed at GRUBBS and not the others. With respect to the "informer" referred to in MULLIKIN'S affidavit of August 6, 1965, Mr. GRUBBS said that he now has an affidavit dated *October* August 20, 1965, by JOYCE LOUISE LOTT, the daughter of WALTER H. MULLIKIN, wherein Mrs. LOTT swore as follows:

"On July 29, 1965, I was contacted by Robert W. (Bob) Zollinger, Attorney for the Urban Renewal and Community Development Agency in Louisville, Kentucky. His purpose and reason for contacting me are set out in the affidavit of my father, Walter H. Mullikin, dated August 6, 1965, a copy of which is attached hereto as a part hereof."

The affiant further states she is the "informant" referred to by her father in the said affidavit attached and the statements therein are true.

Mrs. LOTT swore to her affidavit before her husband, WILLIAM LANAR LOTT, a notary public whose commission expires November 16, 1965.

Mr. GRUBBS further said that the local Bar Association and "this group here," not further identified, have refused to do anything "against the people who are trying to frame me."

On 10-25-65 at Louisville, Kentucky File # LS 44-643

b7C

by SA /mg Date dictated 10-27-65

ENCLOSURE

44-28247-26

LS 44-643

2

He said that the indictment against himself and his co-defendants merely charges "that their action was contrary to law" and he has petitioned the court to determine specifically wherein any action of himself or his co-defendants were contrary to law. The court has failed to require that this information be furnished him. He has no doubt at all, but what the indictment is improperly drawn and should be dismissed. He mentioned that the indictment does not in any way state where the arrested person, H. A. LEWIS, was imprisoned, how he was imprisoned, nor in what manner it was unlawful for his co-defendants, GOVER and WRIGHT, to arrest LEWIS. He commented "I'm serving notice on Repke, Pound, and all of them that they have violated my rights and have no right to set on the bench." He said that he is preparing a resume of the instant matter and will mail it all over to country to his friends, so that his friends will all know of the action by local authorities in Kentucky in violation of his civil rights.

Mr. GRUBBS said that he gained knowledge of the information as stated in Mrs. LOFT'S affidavit of August 20, 1965, in the following manner: *October*

On July 27, 1965, [redacted] (phonetic), not further identified, and [redacted] advised him that they had seen Mrs. LOFT in the courtroom in Jefferson County, Kentucky, whispering and talking to Attorney ROBERT ZOLLINGER on that day. GRUBBS inquired of his co-defendant, WALTER H. MULLIKIN, if he knew what his daughter might be doing talking with ZOLLINGER. MULLIKIN said that his daughter had been acquainted with ZOLLINGER for some time.

b7C
On July 29, 1965, [redacted] came to GRUBB'S house about 9:00 P. M. and indicated he had a matter of urgency to discuss. After insuring they were alone and could not be overheard, [redacted] said, "Millard, they got to them again." GRUBBS inquired as to whom "they" referred and [redacted] replied, [redacted] I guess - they already got Paul Wright to agree to plead guilty - they

LS 44-643

1

are after you, Mr. Grubbs - they want to destroy you and your work - the judge and Schoering are in it."

b7C

During the conversation, Mr. GRUBBS commented, as he has in the past, concerning his disbarment as an attorney many years ago. He said that his attorney license was illegally taken from him because he insisted upon telling the truth about a judge who committed a fraud in connection with a local election. He said that at the time this incident happened, he was told by the group in power that he could not make such statements about a judge and hold his attorney's license. He said he told the people at the time that he was not taught this at Vanderbilt University where he studied law and that he would not practice law if it meant he had to lie. His disbarment followed.

F B I

Date: 11/15/65

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)

TO: DIRECTOR, FBI (44-28247)

FROM: SAC, LOUISVILLE (44-643)

RE: b7C

Jefferson Circuit Court -
Criminal Branch
Louisville, Kentucky;
ET AL;
MILLARD D. GRUBBS - VICTIM
ET AL
CR

Re Louisville letter 10/27/65.

On 11/15/65 Victim GRUBBS telephonically advised he is drawing up a petition which he hoped to present in Federal Court in Louisville in the immediate future requesting that Court take jurisdiction in the matter presently pending against GRUBBS and his co-defendants in local Court in Louisville, Kentucky. GRUBBS advised that upon completion of preparation of his petition, he will forward copies of same to this office.

LHM follows.

3 - Bureau
2 - Louisville

WLW/mjr
(5)

REC-41

EX-103

15 NOV 16 1965

Approved: *[Signature]*

Special Agent in Charge

Sent

M

Per *[Signature]*

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (44-28247)

FROM : SAC, LOUISVILLE (44-643) (C)

SUBJECT: b7C [REDACTED]

DATE: 11/18/65

Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;
ET AL;
MILLARD D. GRUBBS - VICTIM;
ET AL
CR

OO:LOUISVILLE

Re Louisville airtel to Bureau dated 11/15/65.

Enclosed are the original and three(3) copies of a letterhead memorandum, dated 11/18/65, together with copies of the attachments described in the letterhead memorandum.

A copy of the enclosed has been disseminated locally to the United States Attorney, Louisville, Ky.

Bureau will be advised in the event further pertinent data may be received regarding this matter.

- ② - Bureau (Encs. 4)
1 - Louisville

WLW/mfm
(3)

ENCLOSURE

REC-11

44-28247-28
23
5 NOV 19 1965

NOV 16 1965

b7C

REC-11



5010-108

NOV 29 1965

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Louisville, Kentucky
November 18, 1965

b7C

[redacted]
Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;

[redacted]
Jefferson County, Kentucky;

[redacted]
Jefferson County, Kentucky;

[redacted]
Urban Renewal and Community
Development, Louisville, Kentucky;
Millard D. Grubbs - Victim;
[redacted] - Victim;
[redacted] - Victim;
[redacted] - Victim;
Civil Rights

Attention is invited to memoranda regarding captioned matter dated February 25, 1965; March 1, 19 and 31, 1965; April 6 and 12, 1965; May 3 and 10, 1965; June 10, 1965; August 20, 1965; September 7 and 29, 1965; and October 12, 21 and 27, 1965.

b7C

On November 11, 1965, there was received at the Federal Bureau of Investigation office in Louisville, Kentucky, an envelope addressed to Special Agent [redacted] bearing the printed return address of The National Law Enforcement Committee, 1427 South Sixth Street, Louisville, Kentucky.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ENCLOSURE

44-28247-28

This envelope contained a copy of a letter, without its described enclosures, dated November 8, 1965, to Governor Edward T. Breathitt of Kentucky, bearing the signatures of Millard D. Grubbs, Walter H. Mullikin and John T. Gover. A copy of this letter is attached to this memorandum.

Also attached to this memorandum is a copy of a report of interview containing information volunteered in this matter, on November 10, 1965, by Millard D. Grubbs; and also a copy of a report of interview containing information volunteered by Mr. Grubbs on November 15, 1965.

FEDERAL BUREAU OF INVESTIGATION

Date November 17, 19651

MILLARD D. GRUBBS, 1427 South Sixth Street, Louisville, Kentucky, telephonically furnished the following information:

He has prepared a letter to Governor EDWARD BREATHITT of Kentucky in which he, GRUBBS, sets forth the facts regarding the indictment of himself and others in Louisville, Kentucky, in February, 1965. GRUBBS stated that in the letter he points out to Governor BREATHITT wherein the local officials in Louisville, Kentucky, were guilty of a grave misuse of their public powers, and he petitions Governor BREATHITT to use the powers of the Governor's office to protect justice in the State of Kentucky. GRUBBS advised that he would forward a copy of the letter to SA [] of the Louisville Office of the Federal Bureau of Investigation.

GRUBBS further advised that he had been telephonically contacted by an associate attorney, JAMES T. ROBERTSON, of Louisville, Kentucky, on November 10, 1965, and Attorney ROBERTSON had said that EDWIN SCHROERING, Commonwealth's Attorney, Louisville, Kentucky, had indicated that he would like to settle the matter in question without going to trial. ROBERTSON inquired of GRUBBS whether or not GRUBBS might be willing to consider some type settlement out of court. GRUBBS said he emphatically told ROBERTSON he would not consider such a move, as he would just be "compounding a felony" and wanted nothing to do with any type settlement.

On 11/10/65 at Louisville, Kentucky File # LS 44-643

by SA []/mfm Date dictated 11/16/65

44-28247-28

FEDERAL BUREAU OF INVESTIGATION

Date November 17, 1965

1

MILLARD D. GUNERS, 1427 South Sixth Street, Louisville, Kentucky, telephonically furnished the following information:

He is currently preparing a petition which he intends to file in Federal Court, Louisville, Kentucky, in the immediate future requesting that Court take jurisdiction over the matter currently pending against GUNERS and his co-defendants in local court in Louisville, Kentucky. He said the actions of the local officials in Louisville, Kentucky, with respect to the indictment of himself and his co-defendants, are clearly in violation of Sections 241 and 242, Title 18, U. S. Code, and clearly a matter within the jurisdiction of the Federal Court in Louisville, Kentucky.

GUNERS stated that he is determined to get justice in this matter and will take whatever steps are necessary to obtain justice. He mentioned that Attorney JAMES T. ROBERTSON, an acquaintance of his, had indicated to him that he feels the local authorities will move for dismissal of the indictment against GUNERS and his co-defendants, rather than go to trial which is currently set for November 30, 1965. GUNERS stated that not withstanding what the local authorities might do with respect to the indictment currently pending against him, there has been a violation of his civil rights and he intends to pursue the matter in Federal Court.

GUNERS advised that when he has completed preparing his petition for filing in Federal Court, he will forward a copy of same to the Louisville Office of the Federal Bureau of Investigation.

On 11/15/65 at Louisville, Kentucky File # LS 44-643
by SA [redacted]/mfm Date dictated 11/16/65

b7C

F B I

Date: 11/26/65

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

TO: DIRECTOR, FBI (44-28247)
FROM: SAC, LOUISVILLE (44-643) (P)
SUBJECT: [REDACTED]

b7C

Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;
ET AL;
MILLARD D. GRUBBS - VICTIM;
ET AL
CR

Re Louisville letter to Bureau dated 11/18/65.

On 11/26/65, victim GRUBBS advised that on 11/24/65 he, together with [REDACTED] GOVER, MULLIGAN and FINCH filed a petition in Federal Court, Louisville, Kentucky, to have the criminal prosecution now pending in Jefferson County Fiscal Court against them removed to the Federal Court, Louisville, Kentucky. GRUBBS made available a copy of the petition. He advised the matter has been assigned to the Honorable HENRY L. BROOKS, Federal Court, Louisville, Kentucky, and on 11/29/65 Judge BROOKS will probably set a date for a hearing on the matter.

LHM follows.

3-Bureau
2-Louisville
WLW/plh
(5)

REC-68

44-28247-29

6 NOV 27 1965

EX-107

50 DEC 3 1965

Approved: _____

Special Agent in Charge

Sent _____

M

Per _____

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (44-28247)

FROM *B*: SAC, LOUISVILLE (44-643) (C)

SUBJECT: b7C

DATE: 12/1/65

Q ST

Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;
ET AL;
MILLARD D. GRUBBS - VICTIM;
ET AL
CR

OO:LOUISVILLE

Re Louisville airtel to Bureau dated 11/26/65.

Enclosed are the original and three(3) copies of a letterhead memorandum, dated 12/1/65, together with copies of the attachments described in the memorandum.

A copy of the enclosed has been disseminated locally to the United States Attorney, Louisville, Ky.

Bureau will be advised in the event further pertinent data may be received regarding this matter.

- ② - Bureau (Encs. 4)
- 1 - Louisville

WLW/mfm
(3)

16. ENCLOSURE

EX-107

REC-4

44-28247-30

18 DEC 8 1965

1 cc - CRD
1 cc - CR Unit
12-3-65
694-G
KLB/enum

b7C



284
69 DEC 14 1965

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

EXP. PROC.



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Louisville, Kentucky
December 1, 1965

b7C

[REDACTED]
Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;

[REDACTED]
Jefferson County, Kentucky;

[REDACTED]
Jefferson County, Kentucky;

[REDACTED]
Urban Renewal and Community
Development, Louisville, Kentucky;
Millard D. Grubbs - Victim;

[REDACTED] - Victim;
[REDACTED] - Victim;
[REDACTED] - Victim

Civil Rights

Attention is invited to memoranda regarding captioned matter dated February 25, 1965; March 1, 19 and 31, 1965; April 6 and 12, 1965; May 3 and 10, 1965; June 10, 1965; August 20, 1965; September 7 and 29, 1965; October 12, 21 and 27, 1965; and November 18, 1965.

Attached to this memorandum is one copy each of reports of interviews containing information volunteered by Millard D. Grubbs on November 26 and 29, 1965. A copy of the petition, referred to by Mr. Grubbs in his comments furnished on November 26, 1965, is attached to the report of interview dated November 26, 1965.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

44-28247-30
ENCLOSURE

An article in the December 1, 1965 issue of The Courier-Journal, a daily Louisville, Kentucky newspaper, reported that bench warrants had been issued on November 30, 1965 by Criminal Court Judge J. Miles Pound, Louisville, Kentucky, for Millard D. Grubbs, 1427 South Sixth Street, Louisville, Kentucky, and James E. Finch, who is reported to be in Unionville, Indiana, because they failed to appear in Criminal Court for trial on November 30, 1965 on an indictment growing out of a citizens' arrest of an Urban Renewal official.

The article stated that Grubbs had been arrested at his home on November 30, 1965, based on the bench warrant, but that Finch had not been arrested. The three other men involved in the indictment, namely Paul B. Wright, John T. Gover and Walter H. Mullikin, were present in Criminal Court when the case was called. In view of the absence of Grubbs and Finch, Judge Pound continued all cases until January 24, 1966 at which time he will rule on a motion to forfeit the \$500.00 bonds of Grubbs and Finch.

The above article further reported that Federal Judge Henry L. Brooks, Louisville, Kentucky, had overruled a petition submitted to the United States District Court, Louisville, Kentucky, to remove the case involving Grubbs and his co-defendants to the United States District Court.

An article in the December 1, 1965 issue of The Louisville Times, a daily evening Louisville, Kentucky newspaper, reported that James E. Finch had appeared in Circuit Court on December 1, 1965 and explained that he had not been present on November 30, 1965, as he had understood from Millard D. Grubbs that the case had been transferred to Federal Court and his appearance was not required on November 30, 1965 in Circuit Court. The article stated that Judge J. Miles Pound thereupon set aside the bench warrant he had issued, as well as the \$2,000.00 bond he had set, for Finch.

FEDERAL BUREAU OF INVESTIGATION

Date December 1, 1965

Pursuant to his telephonic request, MILLARD D. GRUBBS, 1427 South Sixth Street, Louisville, Kentucky, was contacted at the office of the National Law Enforcement Committee, located on the second floor of his residence. GRUBBS was alone at the time of contact. He furnished the following information:

On November 24, 1965, he filed, with the Clerk of the Federal Court, Louisville, Kentucky, a petition on behalf of himself and his co-defendants, JOHN T. GOVER, WALTER H. MULLIKIN and JAMES E. PINCH, requesting the District Court of the United States take jurisdiction in a criminal prosecution now pending against himself and the others in the Jefferson County Circuit Court, Louisville, Kentucky, in that he and his co-defendants are unable to receive a fair and impartial trial in the Jefferson County Circuit Court, Louisville, Kentucky.

Mr. GRUBBS made available a copy of the petition he filed which is headed "Petition For Removal Of Trial Here In Criminal Prosecution In State Court". The petition consists of eight unnumbered pages. A copy of the petition is attached hereto.

GRUBBS stated that he has determined that the following errors were made in his preparation of the petition and he intends to correct the copy that was filed accordingly:

- (1.) On page one, last line, after the numerals "1427" and before the word "and", there should be inserted the words "Title 28, United States Code".
- (2.) On page three, subparagraph (1), line 11, the word "now" should be underlined in order to denote that the word should have been "not" so that the sentence would read "Your Honor, the defendant refuses to plead on the basis he is not lawfully before the court."

On 11/26/65 at Louisville, Kentucky

File # LS 44-643

b7C

by SA [redacted] /mfm

Date dictated 11/30/65

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

44-28247-30

- (3.) On page four, subparagraph (6), line 3, the date "January 12, 1965" should be changed to read "February 12, 1965".

GRUBBS stated that the filing of this petition in Federal Court automatically stops any further action in the Jefferson County Circuit Court, Louisville, Kentucky, with respect to the indictment pending there until a Federal judge renders an opinion on the petition filed by GRUBBS and his co-defendants. It is GRUBBS' understanding that the trial in Jefferson County Circuit Court, on the indictment now pending against him and the others currently set for November 30, 1965, will not be held at that time unless a Federal judge denies the petition he filed in Federal Court. He said that if the judge does deny the petition, he intends to appeal the judge's decision to the Circuit Federal Court in Cincinnati, Ohio.

GRUBBS further advised that the petition he filed in Federal Court, on November 24, 1965, did not include as a petitioner his co-defendant, PAUL BOYD WRIGHT, in that, as GRUBBS has previously advised, it is his belief that WRIGHT has made an arrangement with the local authorities in Louisville to plead guilty to the indictment against himself, WRIGHT, and testify against the other defendants in return for which he will receive a light sentence.

With respect to WRIGHT, GRUBBS commented that he has had no recent contact with WRIGHT and intends to have no future contact with him. He remarked that his belief that WRIGHT has made a "deal" with the local authorities in Louisville is further strengthened by the fact that, on July 2, 1965, WRIGHT was commissioned by the Sheriff of Jefferson County, Kentucky, WILLIAM E. CRANFILL, as an Honorary Deputy Sheriff of Jefferson County, Kentucky. In support of this, GRUBBS exhibited what he termed the original of a commission naming WRIGHT as an Honorary Deputy Sheriff. The document appeared to be an original document and did commission WRIGHT as an Honorary Deputy Sheriff. The document was signed with the signatures of WILLIAM E. CRANFILL, Sheriff, and JOE EATON. EATON's title was not designated on the document; however, an individual of this name is Jailer of Jefferson County, Kentucky.

GRUBBS was asked how he came in possession of the original of WRIGHT's commission. He replied that he received it from a confidential source. He said he doubted that WRIGHT himself has ever seen the document.

LS 44-643

2

GRUBBS further advised that it is his understanding that the petition he filed in Federal Court, on November 24, 1965, has been assigned to the Honorable HENRY L. BROOKS, Louisville, Kentucky, and that Judge BROOKS, on November 29, 1965, will probably set a date for a hearing on the petition.

GRUBBS also advised that, on November 23, 1965, he had been telephonically advised by the Clerk of the Court of Appeals, Frankfort, Kentucky, that the Court had just rendered a decision denying the petition GRUBBS had submitted requesting that Criminal Court Judge J. MILES POUND be disqualified to hear the case against GRUBBS and his co-defendants. GRUBBS observed that this petition had been pending for some time with the Court of Appeals, and they did not render a decision until just a week before the trial is scheduled to take place.

NOTED CLERK'S OFFICE
RECEIVED
ELMER N. CARRELL, CLERK
UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF KENTUCKY
LOUISVILLE

Millard D. Grubbs, 1427 S. 6th St.
Walter H. Mullikin, 2580 E. Burnett St.
John T. Gover, 115 No. Bayly St.
All of Louisville, Ky.
James E. Finch, Route 1, Box 95A
Of Unionville, Ind.

Petitioners

V
PETITION FOR REMOVAL OF TRIAL HERE IN
CRIMINAL PROSECUTION IN STATE COURT

Jefferson Circuit Court
Criminal Branch - second Division
J. Miles Pound, Presiding Judge

Respondant

The petitioners, Millard D. Grubbs, Walter H. Mullikin, John T. Gover, and James E. Finch, and each of them, state they are citizens of the United States, and residents and citizens of Louisville, Ky., with the exception of James E. Finch, who has recently moved to the state of Indiana, and whose present address is Route 1, Box 95A, Unionville, Indiana.

The respondant, Judge J. Miles Pound, is the duly qualified and regular presiding judge of the Jefferson Circuit Court, Criminal Branch - Second Division, Louisville, Kentucky.

JURISDICTION

This is a petition to remove to the aboved styled District Court of the United States for trial, a criminal prosecution now pending in the Second Division, Criminal Branch of the Jefferson County Circuit Court of Louisville, in which these petitioners are unable to obtain a fair and impartial trial and are being denied their civil rights under KRS Sections 431.005 -2; 432.170; 435.150; 25.012, and Rule 6.10 of the Criminal Rules of Procedure in Kentucky, and their Constitutional rights under Sections 2, 11, 14, 15, and 26 of the BILL OF RIGHTS in the Constitution of Kentucky, contrary to the Provisions of the Sixth and Fourteenth Amendments to the Constitution of the United States.

The jurisdiction of this court in this removal case arises under Section 1443, 1446, 1447, and the Federal Criminal Rules of

44-28247-30

ENCLOSURE

Procedure and Sections 241 and 242 of Title 18 of the United States Criminal Code. For cause of this removal action herein, the petitioners state as follows:

The indictment pending in said state court grew out of the arrest on January 14, 1965, of H. A. Lewis, Director of Real Estate for the Urban Renewal and Community Development group of Louisville, Kentucky. The arrest of the said Lewis by petitioners was under the authority of Section 431.005 -2 of the Revised Statute Laws of the said state. The said Lewis was accused of false swearing in a condemnation suit by the Urban Renewal Agency of Louisville vs. C. R. Dinwiddie, et al.

The said indictment against these petitioners, and prosecution thereunder in the state court is the result of a false, unlawful and wrongful conspiracy between state judges and other public officials in the state to try and protect the said Lewis from the false swearing charge, and to destroy Mr. Millard D. Grubbs, one of the petitioners herein, under the prejudice and bitterness of a pre-existing conspiracy. The details of said pre-existing conspiracy are set forth in the record of cases now on file in the office of the U. S. District Clerk of this court, being numbers 1578 and 2797, styled Grubbs vs. Judge Smith, et al., and Grubbs vs. Judge Burrell H. Farnsley, et al.

Because of the said pre-existing conspiracy and resentment against petitioners herein on the part of Judges and other public officials of Jefferson County, Ky., a collusive agreement between the Urban Renewal Agency of Louisville, Robert W. (Bob) Zollinger, Attorney for said Agency, H. A. Lewis, Commonwealth Attorney Edwin A. Schoering Jr., Elmer Carrell, Clerk of the Jefferson Circuit Court, Cecil Davenport, Assistant County Attorney in said County, Judge Frank A. Ropke and Judge J. Miles Pound and other judges in the state to deny petitioners their Civil and Constitutional rights in the arrest of the said H. A. Lewis and under the said false and fraudulent indictment as hereinbelow stated:

Said H. A. Lewis forthwith after his arrest was taken across the street and delivered to Magistrate Lucian T. Wilcox, Judge of the Third Magisterial District in Jefferson County, Ky., to be prosecuted under the laws of the state, and the conspiracy and denial of rights against petitioners commenced:

- (1) Petitioners denied their right to have the said H. A. Lewis held to the Grand Jury under his refusal to enter a plea which he did as follows:

"If Your Honor please, before the taking of any plea, I'd like to ask that the persons making the arrest come before the court."

Judge Wilcox: "If you make that in the form of a motion I'll overrule you and I'll ask the defendant are you guilty or not guilty."

Mr. Zollinger: "Your Honor, the defendant refuses to plead on the basis he is now lawfully before the court."

Mr. Grubbs: "We interpose an objection to this, Judge. We object to any informal hearing by the County Attorney. If the prisoner desires a preliminary hearing we are entitled to have a chance to prepare for it."

Mr. Davenport: "Your Honor, it's the contention of the Commonwealth that the first business is to ascertain whether or not a legal arrest has been made. We're not into the trial of the validity of the charge. The only inquiry is in regard to the knowledge the persons had in making the arrest, and I refer to CODE SECTION 37 which states as follows: 'A private person may make an arrest when he has reasonable grounds for believing that the person arrested has committed a felony', and that is the only purpose of my questions in this inquiry."

- (2) Petitioners denied their Civil rights under said collusive agreement they were barred by the said Commonwealth Attorney Schoeling from appearing before said body and presenting evidence to establish the guilt of the said H. A. Lewis and the guilt of Bob Zollinger in suborning the said Lewis.

- (3) They were denied their Civil and Constitutional rights by said public officers in the false and fraudulent indictment against them, which states no cause of action and does not inform them of the acts which constitutes the crime of "false arrest" of which they are charged in said insufficient and false indictment.

- (4) Petitioner Grubbs denied the right to have the clerk of the Jefferson Circuit Court issue proper and legal receipts for the sum of \$2500. he deposited with said clerk as bail bond under said indictment and for which he was not given proper receipt for said money.

- (5) Petitioners denied their rights under Rule 6.10 of the Criminal Rules of Procedure in Kentucky which require said indictment to: "contain a short, plain, concise, and definite statement of the essential facts which constitute the offense of 'false arrest'."

(6) Denied their rights by Judge Frank A. Ropke before whom the said indictment was first assigned, by his refusal on January 12, 1965 to allow petitioner Millard Grubbs to act as his own attorney in said case and to file in said case a motion to quash said indictment.

(7) Petitioners denied their Civil rights under said prosecution when petitioners Gover and Mullikin sought to file in open court the motion to disqualify Judge Frank A. Ropke and force him to vacate the Bench from said trial.

(8) Petitioners denied their right to properly file and leave with the clerk of the Criminal Court their motion and affidavit to disqualify Ropke and were threatened with arrest for attempting to file same by the said Frank Ropke who was standing on guard at said clerk's office to prevent petitioners from leaving said motion and affidavit with the said clerk, and at which time the said Ropke with violent anger said: "You are not going to file it." To which Mr. Grubbs replied: "We have a right to defend ourselves, judge, and we intend to do it." To which Ropke roared: "I'll cite you for contempt." Mr. Grubbs answered: "Your court is not in session out here at the clerk's office, and you have no power to punish for contempt outside the courtroom." To which Ropke said: "You have no standing in court; I'll put you all out of circulation, somebody call the Sheriff." And Judge Ropke violently hurled the petitioners motion and affidavit to disqualify him to the floor of the clerk's office - the motion and affidavit he had violently snatched from the hand of petitioner Gover.

(9) Petitioners denied their rights by Judge J. Miles Pound on July 27, 1965, to have said false and fatally defective indictment quashed under petitioners motion therefor.

(10) Petitioners were denied their Civil rights by Judge Miles Pound when he set the case for trial on July 27, 1965, over the strenuous objection of the petitioners - set said case for trial November 30, 1965.

(11) Petitioners were denied their rights in said matter by the untrue statements contained in the order entered on July 27, 1965, which falsely show that these petitioners and their counsel agreed to said setting of the case for November 30, 1965.

(12) Petitioners were denied their Civil and Constitutional rights to have said error and untrue statement made in the order entered by the court on July 27, 1965 corrected under their motion therefor filed and passed to November 29, 1965, just a day before the date set for trial.

Under the said pre-existing conspiracy and collusive agreement, the said Commonwealth Attorney Edwin A. Schoering Jr.; Judge Frank A. Ropke, Bob Zollinger for the Urban Renewal Agency, and

others have carried on a campaign of intimidation, bribery, oppression, threats and denial of rights to these petitioners that constitute a crime of extreme cowardly blackness as is shown in their attempt to intimidate or bribe one Paul Boyd Wright, a notorious two-time ex-convict with a long record of thefts and robberies both in the state and this Federal Court to have him plead guilty to the charges in the indictment, which is a crime in itself, because the charge in the indictment is one accusation of which the said Wright is not guilty. The bribery or intimidation in an effort to suborn the said Wright is a part of the said conspiracy or collusive agreement to try and convict innocent petitioners because of their firm and active stand against the discrimination of white people in an attempt to gain Negro votes and because of their undying loyalty to the Constitution and Laws of the United States and to the Constitution and Laws of the Commonwealth of Kentucky.

The gross corruption involved in said persecution and oppression is revealed by the statements of the Commonwealth Attorney Schoering in a conversation with James E. Finch, petitioner, in which he stated: "We cannot dismiss against you as it might prejudice our case against the others. We don't want to hurt you, but we do want to get Mr. Grubbs, as he has been causing trouble for us for a long time."

This corrupt and criminal intention as expressed by the Commonwealth Attorney to Mr. Finch as above set out was duplicated by the said Bob Zollinger in his attempt on July 29, 1965, to intimidate or bribe Mrs. Joyce Louise Lott, daughter of the petitioner Walter H. Mullikin to swear falsely in a plea of guilty under said indictment promising that he would be taken care of as revealed by the affidavits of Mr. Mullikin and his said daughter. A copy of the letter written in his own hand by the said James E. Finch, and a copy of the affidavits by the said Mr. Mullikin and his daughter are filed herewith as a part hereof.

XERO COPY XERO COPY XERO COPY

The petitioners state, that under the said conspiracy and collusive agreement among said parties a violent campaign of threats and intimidation has been carried on to frighten the wives of petitioners under a bold and boastful assertion by the conspirators that the prejudice and evil intentions of said conspirators to destroy petitioners, or at least Mr. Grubbs by denying them all of their rights under the Constitution and Laws of the United States and of the Constitution and Laws of the State of Kentucky.

Petitioners file herewith as a part hereof certified copy of the said fatally defective indictment: a copy of petitioners motion to quash said indictment, a copy of the bond executed by the petitioners under said indictment, order of the court overruling petitioners motion to quash and the order for setting the case for trial November 30, 1965, petitioners motion to set aside said order filed July 29, 1965, copy of petitioners motion to correct the errors made by the court in said order setting the date for trial and a copy of court's order setting a hearing on said motion to correct errors and passing it to November 29, 1965,

Because and by reason of the said pre-existing conspiracy and collusive agreement and great prejudice against petitioners by state judges and other public officers of the state and their determination to try and conceal the false swearing by Lewis and other corruptions carried on by the public servants of this state and for which they fear exposure the petitioners are utterly unable to obtain any justice or fair and impartial hearing under said indictment and are being denied their Civil rights under Sections 431.005 -2, 432.170, 435.150, 25.012 and Rule 6.10 of the Criminal Rules of Procedure in said state all of which is contrary to Sections 2, 11, 14, 15, and 26 of the Constitution of Kentucky and contrary to due process of law and the equal protection of the laws secured petitioners by the Sixth and Fourteenth Amendments to the Constitution of the United States and in violation of Section 241 and 242 of Title 18 of the United State Criminal Code.

WHEREFORE, petitioners have filed this petition to remove this prosecution to this court for trial under the Provisions of Sections 1443, 1446, and 1447 of Title 28 to the United States Code and ask that it proceed to a final disposition here, under the Federal Rules of Practice, as contained in Rule 54BI and other Rules of Federal Criminal Procedure.

The petitioners say they have read the statements in the foregoing petition for removal, and they are true as they verily believe.

Attorney for Themselves

Subscribed and sworn to before me by Millard D. Grubbs, Walter H. Mullikin, and John T. Gover, this the ____ day of November, 1965.

Notary Public in and for Jefferson County, KY.

My Commission expires _____

CERTIFICATE

It is hereby certified that a true copy of the foregoing petition will be given at once to the clerk of the state court wherein the said prosecution is now pending, and that a copy of the notice attached hereto is being mailed to the respondent, Judge J. Miles Pound and also a copy being sent to Commonwealth Attorney, Edwin A. Schearing, addressed to each of them in the Criminal Court Building, Louisville, Kentucky.

Attorneys for Themselves

WHEREFORE, petitioners have filed this petition to remove this prosecution to this court for trial under the Provisions of Sections 1443, 1446, and 1447 of Title 28 of the United States Code and asks that it proceed to a final disposition here, under the Federal Rules of Practice, as contained in Rule 54B I, and other Rules of Federal Criminal Procedure.

The petitioner, John T. Gover, says he has read the statements in the foregoing petition for removal, and they are true as he verily believes

John T. Gover
Attorney for himself

Subscribed and sworn to before me, this the 22nd day of November 1965.

William J. [Signature]
Notary Public in and for Jefferson County, Ky.

My commission expires.....
Notary Public, Jefferson County, Ky.
My commission expires May 23, 1967.

FEDERAL BUREAU OF INVESTIGATION

Date December 1, 1965

MILLARD D. GRUBBS, 1427 South Sixth Street, Louisville, Kentucky, telephonically advised as follows:

Having heard nothing to date concerning action to be taken on the petition he filed in Federal Court, Louisville, Kentucky, on November 24, 1965, he visited the Federal Court, Louisville, Kentucky, on the morning of November 29, 1965 and attempted to talk with the Honorable HENRY L. BROOKS, Judge, United States District Court, Louisville, Kentucky. Due to previous commitments of Judge BROOKS, he was unable to confer with BROOKS; however, he did confer with "his secretary" (BROOKS') and advised her that he, GRUBBS, wanted a hearing on the petition he had filed on November 24, 1965. The girl told GRUBBS he would be notified when the hearing was to be held.

GRUBBS further stated that, from remarks this girl made to him, he is not now certain that the petition as yet has even been assigned to a judge for action, but believed possibly the petition is still in the Clerk of the Court's office. He originally was under the impression that the petition had been assigned to Judge BROOKS because when he filed it with the Clerk of the Court on November 24, 1965, the Clerk, a Mr. GLENN, prior to accepting it for filing, took the petition and left the room for a few minutes and was seen by "another defendant" (not further identified by GRUBBS) going into Judge BROOKS' office with the petition. When the Clerk returned, he accepted the petition and said GRUBBS would be called and advised of the date the matter would be heard.

On the morning of November 29, 1965, GRUBBS advised he attempted to contact the Clerk of the Court but was unsuccessful in that the Clerk was in Court and not available.

On 11/29/65 at Louisville, Kentucky

File # LS 44-643

b7C

by SA [redacted]/mfm

Date dictated 11/30/65

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

44-28247-30

F B I

Date: 12/14/65

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

TO: DIRECTOR, FBI 44-28247

FROM: SAC, LOUISVILLE (44-643) (P)

RE:

b7C
Jefferson Circuit Court-Criminal
Branch, Louisville, Kentucky;
ET AL
MILLARD D. GRUBBS - VICTIM
ET AL
CR

OO: LOUISVILLE

Re Louisville letter 12/1/65.

On 12/14/65 victim GRUBBS voluntarily telephonically advised that he is preparing a new petition to be filed in U.S. District Court, Louisville, concerning captioned matter that he contemplates filing on 12/17/65. He will mail a copy to this office.

LHM follows.

3 - Bureau
2 - Louisville
WLW/mm
(5)

REC-68

EX-112

44-28247-31
16 DEC 15 1965Approved: 676

Special Agent in Charge

Sent _____ M Per _____

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 12/20/65

FROM : SAC, LOUISVILLE (44-643) (C)

SUBJECT: [REDACTED]

b7C

Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;
ET AL;
MILLARD D. GRUBBS - VICTIM;
ET AL
CR

OO: LOUISVILLE

Re Louisville airtel 12/14/65.

Enclosed herewith are original and three copies of
a letterhead memorandum incorporating the additional
information furnished by victim GRUBBS.

A copy of the enclosed has been disseminated locally
to the U.S. Attorney, Louisville.

- 2 - Bureau (Enc. 4)
- 1 - Louisville

WLW/mm

(3)

REC-99

44-28247-32

10 DEC 21 1965

1cc. AAG Civil Rights Division
Form 6-04-12-22-65

1 cc CIVIL RIGHTS UNIT

b7C



5010-108

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan



In Reply, Please Refer to
File No.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Louisville, Kentucky
December 20, 1965

b7C

[redacted]
Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;

[redacted]
Jefferson County, Kentucky;

[redacted]
Jefferson County, Kentucky;

[redacted]
Urban Renewal and Community
Development, Louisville, Kentucky;
Millard D. Grubbs - Victim;

[redacted] - Victim;

[redacted] - Victim;

[redacted] - Victim;

[redacted] - Victim

Civil Rights

Attention is invited to memoranda concerning captioned matter dated February 25, 1965; March 1, 19 and 31, 1965; April 6 and 12, 1965; May 3 and 10, 1965; June 10, 1965; August 20, 1965; September 7 and 29, 1965; October 12, 21, and 27, 1965; November 18, 1965, and December 1, 1965.

Attached is a copy of report of interview setting forth information volunteered by Millard D. Grubbs on December 14, 1965.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ENCLOSURE

44-28247-32

FEDERAL BUREAU OF INVESTIGATION

1

Date December 16, 1965

MILLARD D. GRUBBS, 1427 South Sixth Street, Louisville, Kentucky, telephonically voluntarily furnished the following data:

After Federal Judge HENRY L. BROOKS, U.S. District Court, Louisville, Kentucky, had on November 29, 1965, rejected GRUBBS' petition to remove the case pending against him and his co-defendants from state to District Court, GRUBBS had telephonically spoken with Judge BROOKS about the matter. During the conversation GRUBBS told Judge BROOKS he felt Judge BROOKS was wrong in his ruling and explained why. Judge BROOKS, according to GRUBBS, offered GRUBBS the opportunity to immediately appeal the ruling but GRUBBS said he declined to do so, advising that he wanted to put some more facts in the record and file a new petition.

GRUBBS said that he will file a new petition in District Court in Louisville on Friday, December 17, 1965. He said it is going to be "a hot one and a squelcher," which he also intends to send to the Congress of the United States.

GRUBBS further said that he was invited by an assistant, not identified, to the Governor of Kentucky, to come to Frankfort during the week of December 20, 1965, and speak to the individual about the case. GRUBBS said he intends to do so and he also intends to see that the facts in the case are put before the General Assembly of Kentucky when the assembly meets early in 1966.

GRUBBS said he is going to continue to fight in this matter so long as there is life left in him until he receives the rights due him under the Constitution. He remarked that everytime he goes into court about a matter, the opposing parties always bring up the fact that he was disbarred as an attorney many years ago. He said that this is purely an extraneous item to be injected into current

On 12/14/65 at Louisville, Kentucky File # LS 44-643

b7C

by SA [redacted] /mm Date dictated 12/14/65

LS 44-643

2

matters and that his disbarment resulted solely from his efforts to prevent local officials from "stealing an election." He said the true facts as to his disbarment are set forth fully in case No. 1578 in U.S. District Court, Louisville, file 1934, and styled "MILLARD D. GRUBBS vs. IRA E. SMITH, ET AL." This was a suit GRUBBS filed charging violation of his rights by the defendant in connection with his disbarment. The District Judge ruled against GRUBBS, holding GRUBBS had stated no cause for action. GRUBBS appealed to the Sixth Circuit Court but the Circuit Court agreed with the lower court's ruling.

GRUBBS commented that he respects completely the courts of our land but that the judges running the courts are going to destroy the country unless they are made to stop the conspiracy against them through which they deprive the citizens of their rights.

GRUBBS said that he would mail a copy of the new petition he will file in District Court on December 20, 1965, to Special Agent [redacted] in order that the Federal Government will be kept apprised of the action being taken in this matter.

b7C

F B I

Date: 1/3/66

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)

TO: DIRECTOR, FBI

FROM: SAC, LOUISVILLE (44-643) (P)

RE: b7C

[Redacted]
Jefferson Circuit Court-
Criminal Branch,
Louisville, Kentucky;
ET AL
MILLARD D. GRUBBS - VICTIM
ET AL
CR

OO: LOUISVILLE

Re Louisville letter and LHM 12/20/65.

On 1/3/66 Victim GRUBBS telephonically contacted this office furnishing further information concerning captioned matter to the effect that on 12/17/65 he filed a motion with District Court Judge HENRY L. BROOKS, Louisville, Ky., petitioning Judge BROOKS to reconsider his earlier ruling against GRUBBS' motion to have a local case pending against GRUBBS removed to the District Court. Further, that pursuant to Judge BROOKS' request, GRUBBS has filed with BROOKS a brief relating to the matter and also personally appeared before BROOKS to discuss the matter. In his motion of 12/17/65, GRUBBS said he included a request that Judge BROOKS request the FBI investigate the alleged violation of GRUBBS' civil rights.

3 - Bureau
2 - Louisville

WLW/mjr
(5)

REC-69

JAN 4 1966

EX-112

57 JAN 11 1966

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

LS 44-643

GRUBBS also advised that on 12/31/65 he addressed a letter to U. S. Senator THURSTON MORTON of Kentucky, concerning instant matter and setting forth facts GRUBBS feels constitute a violation of his civil rights.

LHM follows.

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (44-28247)

DATE: 1-7-66

FROM : SAC, LOUISVILLE (44-643) (C)

SUBJECT: *mb* b7C

mf
[Redacted]
Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;
ET AL
MILLARD D. GRUBBS - VICTIM
ET AL
CR

OO: LOUISVILLE

Re Louisville airtel 1-3-66.

Enclosed are the original and three copies of a letterhead memorandum dated 1-7-66 concerning the captioned matter. One copy of each of the attachments described in the enclosed is attached to each copy of the enclosed.

A copy of the enclosed has been disseminated locally to USA, Louisville, Kentucky.

Bureau will be advised upon receipt of any further information from victim GRUBBS.

- ② - Bureau (Encls)
- 1 - Louisville
- WLW: bmg
- (3)

ENCLOSURE
"ENCL. BEHIND FILE"

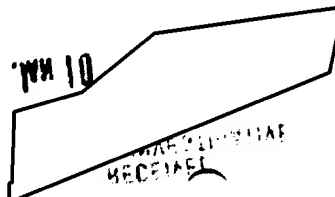
REC-75

44-28247-34

4 JAN 10 1966

1 cc - CRD
1 cc - CR Unit
1-10-66
694-C
KLB/emw

b7C



5010-108

53 JAN 17 1966

Savings Bonds Regularly on the Payroll Savings Plan

39
EXP. PROC.

1-20-66

Airtel

b7C

1-

To: SAC, Louisville (44-643)

From: Director, FBI (44-28247) —

b7C

JEFFERSON CIRCUIT COURT -
CRIMINAL BRANCH
LOUISVILLE, KENTUCKY;
ET AL
MILLARD D. GRUBBS - VICTIM
ET AL
CIVIL RIGHTS

Reurairtel to Bureau 1-17-66.

Department has advised that they have made a complete review of information furnished regarding this matter. There is no Federal violation evident. Department advised that they consider this case closed as the victim evidently pursuing a private legal matter. Department requests that in the event victim continues contacting your office, you should advise him that his matter contains no information regarding a Federal violation within the Bureau's jurisdiction.

On next contact with victim, advise him that all the information he has previously furnished in the past has been forwarded to Mr. John Doar, AAG, CRD, USDJ, Washington, D. C. 20530, who considers this case closed as there is no Federal violation within the Bureau's jurisdiction. In the event that victim has any further questions, advise him he may desire to communicate directly with Mr. Doar.

KLB:mmp (4)

NOTE: Victim Grubbs complained he felt subjects were in violation of civil rights law, possible Section 241 and 242, indicted by the Jefferson County GJ on charges relating to a false arrest. Grubbs felt that in order to have a complete understanding of his complaint, he would furnish certain documents. Grubbs since 2-17-65 has

NOTE CONTINUED PAGE 2.

MAIL ROOM ☐ TELETYPE UNIT ☐

actually furnished numerous documents and has been interviewed on numerous occasions at his request in regards to this matter and all forwarded to CRD. On 1-18-66, Mr. Ron Kaye, CRD, advised that a complete review of information furnished by the Bureau in this matter reflects that no Federal violation within the Bureau's jurisdiction and considers this case closed, and in the event Grubbs continues contacting the Louisville Office, he should be advised as such.

F B I

Date: 1/17/66

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)

TO: DIRECTOR, FBI (44-28247)

FROM: SAC, LOUISVILLE (44-643) (P)

RE: b7C

Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;
ET AL
MILLARD D. GRUBBS - VICTIM
ET AL
CR

OO: LOUISVILLE

Re Louisville letter 1/7/66.

On 1/17/66 Victim GRUBBS telephonically contacted this Office advising that USDJ HENRY L. BROOKS by order of 1/11/66 had denied GRUBBS' motion to BROOKS requesting BROOKS set aside BROOKS' previous order denying GRUBBS' motion to have local charges pending against himself and his co-defendants, removed to Federal Court.

GRUBBS said he immediately filed Motion of Appeal and has heard rumors the local authorities intend to proceed with the local trial, 1/24/66, regardless of GRUBBS' filing Motion of Appeal in Federal Court.

GRUBBS said he intends to seek in Federal Court a temporary restraining order against local authorities.

LHM follows.

REC-48

44-28247-35

3 - Bureau

2 - Louisville

WLW/mjr

(5)

SAC, LS

1-19-66, KLB/mjr

16 JAN 18 1966

Approved: *C. Wick*

Special Agent in Charge

Sent _____ M Per _____

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (44-28247)

DATE: 1/20/66

FROM : SAC, LOUISVILLE (44-643) (C)

SUBJECT: b7C

Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;
ET AL
MILLARD D. GRUBBS - VICTIM
ET AL
CR

OO: LOUISVILLE

Re Louisville airtel to Bureau 1/17/66.

Enclosed is an original and three copies of a letterhead memorandum of this date concerning captioned matter. Copies of the enclosed have been disseminated locally to USA, Louisville, Ky.

The Bureau will be advised in the event victim GRUBBS volunteers any further data concerning this matter.

3 - Bureau (Enc. 4)
1 - Louisville
WLW/eb
(4)

ENCLOSURE

EX-112 REC-57

44-28247-36

JAN 21 1966

1cc - CRD
1cc - CR/mt
1-21-66
694- C
KVB/emm

note Pursuant to
conversation between
Mr. Ron Kaye & SA [redacted]
on 1-18-66 a review of this matter
by the Dept. reflects no federal
violation within the Bureau's
jurisdiction and on next
contact with the victim he will
be so advised.

b7C



5010-108

90
JAN 27 1966

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

EXP. PROC.



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Louisville, Kentucky
January 20, 1966

b7C

[REDACTED]
Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;

[REDACTED]
Jefferson County, Kentucky;

[REDACTED]
Jefferson County, Kentucky;

[REDACTED]
Urban Renewal and Community
Development, Louisville, Kentucky;
Millard D. Grubbs - Victim;

[REDACTED] - Victim;

[REDACTED] - Victim;

[REDACTED] - Victim;

[REDACTED] - Victim;

Civil Rights

Attention is invited to memoranda concerning captioned matter dated February 25, 1965; March 1, 19, and 31, 1965; April 6 and 12, 1965; May 3 and 10, 1965; June 10, 1965; August 20, 1965; September 7 and 29, 1965; October 12, 21, and 27, 1965; November 18, 1965; December 1, 1965; December 20, 1965, and January 7, 1966.

Attached is a copy of a report of interview containing information volunteered by Millard D. Grubbs on January 17, 1966.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ENCLOSURE

44-28247-36

FEDERAL BUREAU OF INVESTIGATION

Date January 20, 1966

1

MILLARD D. GRUBBS, 1427 South Sixth Street, Louisville, Kentucky, voluntarily telephonically contacted the Louisville Office of the Federal Bureau of Investigation and furnished the following information:

On January 11, 1966, United States District Court Judge HENRY L. BROOKS, Louisville, Kentucky, had entered an order denying a motion filed by GRUBBS requesting Judge BROOKS set aside his order of November 30, 1965, denying GRUBBS' request that the local charge pending against GRUBBS and others be transferred to Federal Court from local court on the grounds that GRUBBS and his co-defendants could not receive a fair trial in local court.

On January 12, 1966, GRUBBS filed with the clerk of the district court in Louisville, Kentucky, a notice of appeal to the order of Judge BROOKS on January 11, 1966. On January 15, 1966, the clerk of the district court, Louisville, advised GRUBBS that pursuant to the filing of the notice of appeal, the record would be sent to the Circuit Court of Appeals in Cincinnati, Ohio, and that GRUBBS had forty days with which to file the appeal and that GRUBBS owed \$25.00 to district court for cost of filing the appeal.

GRUBBS has heard "rumors" that the local authorities intend to proceed with the local trial against GRUBBS and his co-defendants on the scheduled date of January 24, 1966, notwithstanding the fact that GRUBBS has filed notice of appeal in the Federal Court with respect to his efforts to have the matter transferred from local to Federal Court. GRUBBS said that under the law the local authorities have no right to proceed until the matter is disposed of finally in the Federal Court and that should the local people try to proceed while the matter is still pending in Federal Court there would be no legal force to the proceeding;

On 1/17/66 at Louisville, Kentucky File # LS 44-643

b7C

by SA [redacted] /eb Date dictated 1/20/66

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

44-28247-36

LS 44-643

2

however, GRUBBS said he was going to immediately seek in Federal Court, a temporary restraining order against the local authorities proceeding locally against him until a final decision is rendered in Federal Court.

During the conversation GRUBBS remarked that he is going "to get a fair trial" in this matter regardless of the efforts of anyone to prevent him from doing so. He asked if the FBI Office in Louisville has ever received any instructions or requests from the Civil Rights Division, United States Department of Justice, with respect to Federal investigation in this matter. He was told that so far as is known to SA [redacted] no such requests or instructions had been received by the Louisville FBI Office. It was suggested to GRUBBS that if he wished to pursue his inquiry he might desire to direct a communication to the Civil Rights Division of the United States Department of Justice, Washington, D. C.

b7C

2-1-66

GENERAL INVESTIGATIVE DIVISION

This case involves numerous complaints from victim Grubbs, in that he feels subjects were in violation of Civil Rights Statute, Section 241 and 242, [redacted] indicted by the Jefferson Grand Jury on charges relating to false arrest. Grubbs since 2-17-65 has furnished numerous documents and has been interviewed on numerous occasions at his request in regards to this matter, and all forwarded to the Civil Rights Division. On 1-18-66, Mr. Ron Kaye, Civil Rights Division, advised that a complete review of information furnished by the Bureau in this matter reflects no Federal violation within the Bureau's jurisdiction and considers case closed, and in the event Grubbs continues contacting the Louisville Office, he should be advised as such. Civil Rights Division of the Department is being advised of the attached.

KL B:map

b7C

FBI WASH DC

FBI LOUISVLE

256 PM EST 2-1-66 URGENT JAH

DIRECTOR / 44-28247/

FROM LOUISVILLE /44-643/

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

FEB 1 1966

TELETYPE

Mr. Tolson	✓
Mr. DeLoach	✓
Mr. Mohr	
Mr. Wick	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	✓
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Miss Holmes	
Miss Gandy	

b7C

[REDACTED] JEFFERSON CIRCUIT COURT-CRIMINAL BRANCH
LOUISVILLE, KENTUCKY; ET AL; MILLARD D. GRUBBS-VICTIM. ET AL CR.

RE BUREAU AIRTEL JANUARY TWENTY, LAST.

Civil Rights

VICTIM GRUBBS TELEPHONICALLY CONTACTED THIS OFFICE FEBRUARY ONE, INSTANT, TO ADVISE DEVELOPMENTS IN CAPTIONED MATTER WHICH INCLUDE HIS EFFORTS TO HAVE LOCAL COURT SET ASIDE GUILTY VERDICT RENDERED AGAINST HIM JANUARY TWENTYFIVE, LAST, AS WELL AS FILING MOTION WITH U. S. CIRCUIT COURT OF APPEALS, CINCINNATI, REQUESTING THAT COURT ISSUE INJUNCTION AGAINST LOCAL COURT PROCEEDING IN INSTANT MATTER UNTIL FINAL DECISION REACHED IN FEDERAL COURTS AS TO TRANSFERRING INSTANT MATTER FROM LOCAL COURT TO FEDERAL COURT. DURING CONVERSATION GRUBBS VEHEMENTLY STATED HE DID NOT RECEIVE FAIR TRIAL IN LOCAL COURT AND INSTANT MATTER IS A COMPLETE CONSPIRACY TO INCARCERATE HIM FOR HIS POLITICAL BELIEFS.

b7C

b7C DURING CONVERSATION GRUBBS WAS ADVISED BY SA [REDACTED] PURSUANT TO INSTRUCTIONS IN REFERENCED BUREAU AIRTEL. GRUBBS COMMENTED HE MAY TELEPHONE AAG JOHN DOAR RE THIS MATTER AND ALSO MAY TELEPHONE U. S. SENATORS MORTON AND EASTLAND, AS GRUBBS FEELS INSTANT MATTER SHOULD BE BEFORE U. S. CONGRESS.

LHM FOLLOWS.

END

WA...JXM

FBI WASH DC

MR. DELOACH FOR THE DIRECTOR

54 FEB 7 1966

FEB 2 1966

44-28247-37

Handwritten signature

(Mount Clipping in Space Below)

Millard Grubbs Gets 5 Years In False-Arrest Case

Millard Grubbs of Louisville, chairman of the National Law Enforcement Committee, and three members of the group drew prison sentences yesterday in the false arrest of an urban renewal official.

Grubbs, 1427 S. Sixth, was found guilty and sentenced to five years for aiding and abetting the citizen's arrest of H. A. (Kelly) Lewis, real-estate director for the Louisville Urban Renewal Agency.

Convicted on the same charge were Walter K. Mullikin, 2580 E. Burnett, sentenced to 3 years; and James E. Finch, who lives in Indiana, 1 year. John T. Gover, 115 N. Bayly, was sentenced to two years on a charge of false arrest.

A second man originally charged with false arrest, Paul B. Wright, 1411 Indiana, changed his plea to guilty on an amended charge of assault and battery. Criminal Court Judge J. Miles Pound gave him a suspended sentence of one year in jail.

Four Plan To Appeal

Grubbs, Mullikin, Finch and Gover were remanded to Jefferson County Jail, pending the filing of a written motion for a new trial and the concurrent fixing of bond.

The four said they plan to appeal their convictions.

The National Law Enforcement Committee is a private body that says it fights "socialistic and communistic programs."

Grubbs said earlier that the attempted arrest on Jan. 14, 1965 resulted from a dispute between a committee supporter and the Urban Renewal Agency.

Arrest Made in Parking Lot

He and his associates, he said, were disturbed over efforts by urban renewal to condemn property owned by Clarence R. Dinwiddie, 2388 Valley Vista.

Grubbs contended Lewis swore falsely that there was only one lease on the property, on the southeast corner of Seventh and Chestnut.

Consequently, Wright and Gover made

a citizen's arrest of Lewis as he drove into the agency parking lot. They presented him with a letter, signed by Grubbs, that declared their intention to make the arrest.

Their charge against Lewis was dismissed in a court hearing, on grounds the arrest was not legal.

A grand jury later indicted the five committee members.

Grubbs is a former chairman of the Citizens Councils of Kentucky and ran for governor in 1959 as the candidate of the National States Rights Party.

(Indicate page, name of newspaper, city and state.)

Page 4 A

The Louisville Times
Louisville, Ky

Date: 1-26-66
Edition: Home
Author:
Editor: Barry Bingham
Title:

Character:
or
Classification: 44-643
Submitting Office: Louisville
☐ Being Investigated

55 FEB 8 1966

100 - CRB
100 - CRB
2-3-66
695-H
K.L.B./mm

(Mount Clipping in Space Below)

Prison Terms Given To Four In Citizen Arrest

Four men were found guilty and drew prison sentences yesterday ranging from one to five years in the citizens arrest of H. A. (Kelly) Lewis, real estate director for the Louisville Urban Renewal Agency. A fifth pleaded guilty to an amended charge and received a suspended sentence.

Paul B. Wright, 1411 Indiana, and John T. Gover, 115 N. Bayly, who arrested Lewis Jan. 14, 1965, as he drove into the agency's parking lot, were charged with false arrest.

Charged with aiding and abetting in the arrest were Millard D. Grubbs, 1427 S. Sixth; Walter K. Mullikin, 2580 E. Burnett, and James E. Finch of Indiana.

After deliberating for three hours, the Criminal Court jury found Grubbs, Mullikin, Gover and Finch guilty. Judge J. Miles Pound gave them the following prison sentences: Grubbs, 5 years; Mullikin, 3 years; Gover, 2 years and Finch, 1 year.

Wright changed his plea to guilty on an amended charge of assault and battery. Judge Pound gave him a suspended sentence of one year in jail.

The five men, all members of a private organization called the National Law Enforcement Committee, accused Lewis of swearing falsely in an affidavit in a condemnation suit on property at Seventh and Chestnut.

At a hearing, Magistrates Lucian T. Wilcox and Lee F. Swan dismissed the charge against Lewis on the grounds the citizens arrest was not legal and proper.

(Indicate page, name of newspaper, city and state.)

Page 1 B

COURIER-JOURNAL
Louisville, Ky

Date: 1-26-66
Edition: Morning
Author:
Editor: Barry Bingham
Title:

Character:

or

Classification: 44-643

Submitting Office: Louisville

☐ Being InvestigatedNOT RECORDED
191 FEB 2 1966

5 5 FEB 8 1966

100 - 1111
100 - 1111
2 3-66
692-11
KLB/1111

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (44-28247)

DATE: 2/4/66

FROM: SAC, LOUISVILLE (44-643) (C)

SUBJECT:

JEFFERSON CIRCUIT COURT -
CRIMINAL BRANCH
LOUISVILLE, KENTUCKY;
ET AL
MILLARD D. GRUBBS - VICTIM
ET AL
CIVIL RIGHTS

Re Louisville teletype to Bureau dated 2/1/66.

Enclosed is an original and three copies of a letterhead memorandum of this date concerning captioned matter. Copies of the enclosed have been disseminated locally to USA, Louisville, Kentucky.

For the information of the Bureau it might be noted that when GRUBBS telephonically contacted this office on February 1, 1966, as reflected in the enclosed, he was advised of the Department's opinion in this matter as stated in Bureau airtel of January 20, 1966. GRUBBS did not express any animosity toward the Bureau because of the Department's opinion, but as indicated in the enclosed he stated that he might telephone Assistant Attorney General JOHN DOAR regarding the Department's conclusion that there is no Federal violation involved in this matter within the jurisdiction of the FBI.

2 - Bureau (Enc. 4)
1 - Louisville
WLW/plh
(3)

1cc - CRD
1cc - CK Unit
2-7-66
694-G
KLB/emr

EX 109
44-28247-38
REC-28

14 FEB 8 1966

b7C



FEB 11 1966

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan



In Reply, Please Refer to
File No.

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Louisville, Kentucky
February 4, 1966

b7C

[REDACTED]
Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;

[REDACTED]
Jefferson County, Kentucky;

[REDACTED]
Jefferson County, Kentucky;

[REDACTED]
Urban Renewal and Community
Development, Louisville, Kentucky;

Millard D. Grubbs - Victim;

[REDACTED] - Victim;

[REDACTED] - Victim;

[REDACTED] - Victim;

[REDACTED] - Victim;

Civil Rights

Attention is invited to memoranda concerning captioned matter dated February 25, 1965; March 1, 19 and 31, 1965; April 6 and 12, 1965; May 3 and 10, 1965; June 10, 1965; August 20, 1965; September 7 and 29, 1965; October 12, 21 and 27, 1965; November 18, 1965; December 1, 1965; December 20, 1965; January 7, 1966, and January 20, 1966.

An article in the January 26, 1966, issue of the Louisville Times, a daily Louisville, Kentucky, newspaper, reported the following:

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

44-28247-38

On January 25, 1966, Millard Grubbs, 1427 South Sixth Street, Louisville; Walter K. Mullikin, 2580 East Burnett Street, Louisville, and James E. Finch, residence shown as Indiana, were found guilty and prison sentences recommended by the jury on January 25, 1966, after a trial in Criminal Court, Louisville, Kentucky, on a charge of aiding and abetting a false citizen's arrest of H. A. (Kelly) Lewis, real-estate director for the Louisville Urban Renewal Agency. Recommended sentence for Grubbs was five years, for Mullikin three years and for Finch one year in the penitentiary.

During the same trial a sentence of two years on a charge of false arrest of Lewis was recommended for John T. Gover, 115 North Bayly, Louisville, Kentucky. Paul B. Wright, 1411 Indiana Street, Louisville, Kentucky, originally charged with a false arrest of Lewis, changed his plea to guilty on an amended charge of assault and battery and a suspended sentence of one year in jail was recommended for him.

Grubbs, Mullikin, Finch and Gover were remanded to the Jefferson County Jail, Louisville, Kentucky, pending the filing of a written motion for a new trial and the concurrent fixing of bond.

According to the article, the arrest of Lewis occurred on January 14, 1965, and resulted from a dispute over the condemnation by the Urban Renewal Agency of property owned by Clarence R. Dinwiddie, 2388 Valley Vista Road, Louisville, Kentucky.

Attached are copies of two reports of interview with Millard D. Grubbs on February 1 and 3, 1966.

FEDERAL BUREAU OF INVESTIGATION

Date February 4, 1966

1

MILLARD D. GRUBBS, 1427 South Sixth Street, Louisville, Kentucky, voluntarily telephonically contacted the Louisville Office of the Federal Bureau of Investigation and furnished the following data:

The trial of himself and his co-defendants in Criminal Court in Louisville, Kentucky, on January 25, 1966, was "a complete frame-up." The trial was before Judge J. MILES POUND who acted entirely arbitrarily in overruling efforts by GRUBBS and his co-defendants to have "my witnesses" summoned for testimony at the trial. GRUBBS wanted a number of judges and other government officials subpoenaed for testimony, but Judge POUND arbitrarily denied GRUBBS' request for subpoenas for such individuals. The effect of the trial was a trial "of me and my committee" (the National Law Enforcement Committee). The prosecution brought in testimony "about everything I have ever written." At the conclusion of the testimony, during the time Judge POUND was instructing the jury, POUND "brazenly and openly" through his mannerisms and tone of voice clearly indicated to the jury that the defendants were guilty as charged. GRUBBS vehemently objected, but Judge POUND summarily overruled his objection. The trial was "an open, brazen attempt to strike me down because of my political belief."

The indictment, prosecution and trial of GRUBBS and his co-defendants is "a terrible thing" and shows that an individual's freedom in this country is almost lost, "our country is almost gone and the very people who are destroying it don't realize that some day it will eventually result in disrobing them of their liberties."

GRUBBS represented himself during the above trial as he knew of no attorney who would "fight for my rights" as hard as himself. MULLIKIN, GOVER and FINCH were represented by an attorney by the name of ALBERT SIKKING who in GRUBBS' opinion did not "put up much of a fight for them."

On 2/1/66 at Louisville, Kentucky File # LS 44-643

b7C

by SA [redacted] /plh Date dictated 2/3/66

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LS 44-643

2

b7C

Judge POUND's actions at the above trial have so frightened [redacted] that "they are prostrate and [redacted] hysterical." The [redacted] [redacted] have prevailed upon [redacted] not to have any further contact with GRUBBS.

During the above trial a prosecution witness was H. A. LEWIS who during his testimony admitted that the information in his affidavit of February 27, 1964, with respect to the parties of interest in the C. R. DINWIDDIE property against which condemnation action was being taken by the Urban Renewal Agency of Louisville, was false, but he contended that at the time he prepared the affidavit he did not know the information was false.

Immediately after the jury returned its verdict against GRUBBS and his co-defendants, GRUBBS and the others were taken to the Jefferson County Jail. As GRUBBS had only five days in which to file a written motion for the setting aside of the jury verdict and the granting of a new trial, he found himself in a most difficult position, being he was confined in jail and had no legal representative to prepare the necessary motion. Further his bond had been set at \$10,000, and it took several days before he could arrange for bond. GRUBBS prepared a motion on the jail stationery although it was not in proper legal form, and through the sending of a note to his wife, an attorney, J. W. JONES, visited GRUBBS at the jail on January 27, 1966. GRUBBS gave JONES the motion and asked that he file it in Judge POUND's court. However, later JONES returned the motion, advising GRUBBS it was not prepared in proper form. GRUBBS arranged for bond on January 28, 1966, through a bondsman named MARVIN BERG and was released from jail about 3:00 PM that date. He was physically exhausted due to lack of being able to sleep in jail so he went home to bed.

On January 29, 1966, he prepared his motion in proper form and gave it to a "minister" to take to the home of the clerk of the court that night and file it with him.

On January 31, 1966, GRUBBS himself filed a copy of this motion in the clerk's office in Louisville.

LS 44-643

3

GRUBBS was suppose to appear before the Circuit Court of the United States in Cincinnati, Ohio, on February 1, 1966, to file a motion requesting that the court issue an injunction against Judge POUND from proceeding any further in the matter pending against GRUBBS and his co-defendants until the Federal Courts could finally decide on a motion GRUBBS had previously filed requesting the Federal Courts take jurisdiction in the matter on the grounds that GRUBBS could not receive a fair trial in local courts. However, on February 1, 1966, Louisville, Kentucky, suffered one of the heaviest snowstorms in its history resulting in the planes being grounded and GRUBBS being unable to get to Cincinnati. He telephonically contacted the clerk of the Circuit Court of the United States in Cincinnati and was told to send a telegram to the court that day with the essential facts stated and the clerk would present the telegram to the Chief Justice of the court for his consideration.

GRUBBS' intends to pursue his complaint to the highest court in the land and is attempting to get the matter before the United States Congress, mentioning that he may telephone United States Senators MORTON and EASTLAND.

b7C During the above conversation, Special Agent [redacted] advised GRUBBS that Assistant Attorney General JOHN DOAR, Civil Rights Division, United States Department of Justice, Washington, D. C., had advised that he had considered the information GRUBBS had previously furnished, and that he, DOAR, considers the matter closed as there is no Federal violation within the jurisdiction of the Federal Bureau of Investigation. It was suggested to GRUBBS that if he had any further questions concerning the matter, he may desire to communicate directly with Assistant Attorney General DOAR. GRUBBS commented that he may telephone Assistant Attorney General DOAR.

FEDERAL BUREAU OF INVESTIGATION

Date February 4, 1966

1

MILLARD D. GRUBBS, 1427 South Sixth Street, Louisville, Kentucky, voluntarily telephonically contacted the Louisville Office of the Federal Bureau of Investigation and furnished the following data:

On February 3, 1966, GRUBBS had been in telephonic contact with CARL W. REUSS, Clerk, United States Court of Appeals, Sixth Circuit, Cincinnati, Ohio, and REUSS requested that GRUBBS expeditiously forward to the court GRUBBS' petition of the court for its issuance of a temporary restraining order against further action by local authorities in Louisville, Kentucky, in the case pending against GRUBBS until the issue of whether or not the matter belongs in Federal Court could be finally determined. GRUBBS said the necessary papers had been mailed special delivery to the United States Court of Appeals in Cincinnati on February 2, 1966.

GRUBBS further stated that he had sent a telegram to Mr. REUSS on the morning of February 3, 1966, which read as follows:

"The proof that God can overrule the arbitrary and naked exercise of public power by State Court in a void proceeding set for February 2, 1966, in violation of the jurisdiction of this court (U.S. Court of Appeals, Cincinnati, Ohio) and the right of the undersigned in the appeal therein pending, is demonstrated in an action that stayed the hand of gross injustice by a blizzard and a blanket of snow that closed temporarily the said court. The petition and notice for an injunction and temporary restraining order were mailed special delivery yesterday.

Signed Millard D. Grubbs"

On 2/3/66 at Louisville, Kentucky File # LS 44-643
by SA [redacted] /plh Date dictated 2/4/66
b7C

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LS 44-643

2

GRUBBS explained that on February 1, 1966, Louisville, Kentucky, experienced one of the worse snowstorms in its history resulting in the temporary closing of a number of places of business including the Criminal Courts in Louisville. He said that on January 25, 1966, when the jury returned a verdict of guilty against himself and his co-defendants the Judge, J. MILES POUND, had set February 2, 1966, as the date for sentencing and consideration of any motions of appeal. However, in view of the weather conditions, the matter was not heard by the court on that date.

GRUBBS strongly stated that the guilty verdict returned against him is unjust in that he could not be guilty of any crime in connection with the arrest of H. A. LEWIS as he, GRUBBS, at no time had any intent to commit a crime, and an individual cannot be a criminal unless he has the intent. He commented that he eventually may end up in prison in this matter, but if so he will be like many "good men" in the past who were sent to jail for wanting to do good for the country and the evil men running the country did not want them free to pursue their good work.

F B I

Date: 2/23/66

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)

TO: DIRECTOR, FBI (44-28247)

FROM: SAC, LOUISVILLE (44-643) (C)

SUBJECT:
b7C JEFFERSON CIRCUIT COURT -
CRIMINAL BRANCH
LOUISVILLE, KENTUCKY;
ET AL;
MILLARD D. GRUBBS - VICTIM;
ET AL
CIVIL RIGHTS

Re Louisville letter to Bureau dated 2/4/66.

Enclosed is an original and three copies of a
LHM, of this date, regarding captioned matter.Copies of the enclosed have been disseminated
locally to the USA, Louisville, Ky.

- ③ - Bureau (Encls. 4)
1 - Louisville

WLW/mfm
(4)

ENCLOSURE

REC 13 44-28247-39
2-25-66
6-946
KLB/mmp

16 FEB 25 1966

Approved: 66

Special Agent in Charge

Sent _____ M Per _____



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Louisville, Kentucky
February 23, 1966

b7C

[REDACTED]
Jefferson Circuit Court -
Criminal Branch,
Louisville, Kentucky;

[REDACTED]
Jefferson County, Kentucky;

[REDACTED]
Jefferson County, Kentucky;

[REDACTED]
Urban Renewal and Community
Development, Louisville, Kentucky;
Millard D. Grubbs - Victim;

[REDACTED] - Victim;

[REDACTED] - Victim;

[REDACTED] - Victim;

[REDACTED] - Victim

Civil Rights

Attention is invited to memoranda concerning captioned matter dated February 25, 1965; March 1, 19 and 31, 1965; April 6 and 12, 1965; May 3 and 10, 1965; June 10, 1965; August 20, 1965; September 7 and 29, 1965; October 12, 21 and 27, 1965; November 18, 1965; December 1, 1965; December 20, 1965; January 7 and 20, 1966; and February 4, 1966.

An article in the February 10, 1966 issue of the Louisville Times, a daily Louisville, Kentucky newspaper, reported that John T. Gover, Walter H. Mullikin and James E. Finch had withdrawn motions they had filed in Jefferson Criminal Court, Louisville, Kentucky, requesting a new trial

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ENCLOSURE

44-28247-39

and had requested they be granted probation on the matter for which they had been previously convicted.

The article further reported that Millard D. Grubbs, who had also been convicted, had been granted a continuance on his request for a new trial. It was noted that Grubbs' attorney had told the Court that the Sixth U. S. Circuit Court of Appeals, Cincinnati, Ohio, would hear a plea on February 15, 1966, that the case should have been in Federal Court rather than local Court.

Attached is a copy of a report of interview with Millard D. Grubbs on February 23, 1966.

FEDERAL BUREAU OF INVESTIGATION

Date February 23, 1966

1

MILLARD D. GRUBBS, 1427 South Sixth Street, Louisville, Kentucky, voluntarily telephonically contacted the Louisville Office of the Federal Bureau of Investigation and advised as follows:

b7C GRUBBS stated that approximately two or three weeks ago, SA [] of the Louisville Office of the Federal Bureau of Investigation had told him, GRUBBS, that Assistant Attorney General JOHN DOAR, of the United States Department of Justice, had reviewed the information GRUBBS had made available to the Federal Bureau of Investigation and was of the opinion there was no evidence of a Federal violation involved. GRUBBS stated that, at that time, he had not made any written notes as to exactly what Mr. DOAR's opinion was and he requested b7C SA [] to repeat the opinion. GRUBBS was told that Mr. DOAR had advised the Headquarters of the Federal Bureau of Investigation that all information Mr. GRUBBS had furnished the Federal Bureau of Investigation, in Louisville, had been reviewed and that Mr. DOAR considers the case closed as there is no Federal violation within the jurisdiction of the Federal Bureau of Investigation.

GRUBBS advised he contemplates going to Washington, D. C. within the next few days and he is going "to lay before somebody (not identified), not Doar, the complete facts as well as what Doar has said about there being no Federal violation. We clearly know there has been a violation of Sections 241 and 242.", Title 18, United States Code.

During the above conversation, GRUBBS commented that during the trial of himself and his co-defendants in Criminal Court, Louisville, Kentucky, on January 25, 1966, he represented himself and on one occasion, he was in the judge's chambers and certain points were being discussed. During the discussion, GRUBBS attempted to make several remarks in defense of himself and at one point, the judge, J. MILES POUND, shouted "G-- d--- you! Get out of this room or I'll have the Sheriff throw you out!"

On 2/23/66 at Louisville, Kentucky File # LS 44-643

b7C
by SA []/mfm Date dictated 2/23/66

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44-28247-39

LS 44-643

2

GRUBBS remarked that such actions on the part of a judge is clearly a violation of his, GRUBBS', civil rights.

GRUBBS remarked that on February 16, 1966, the Sixth United States Circuit Court of Appeals, Cincinnati, Ohio, had denied GRUBBS' request for an injunction and temporary restraining order against local authorities in Louisville, Kentucky.

(Mount Clipping in Space Below)

Mr. Tolson	
Mr. DeLoach	
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Miss Holmes	
Miss Gandy	

3 in Citizens' Arrest Case Ask Judge for Probation

Three of four men convicted by a Jefferson Criminal Court jury in the citizens' arrest of a Louisville Urban Renewal official asked for probation yesterday.

John T. Gover, Walter K. Mullikin and James E. Finch withdrew motions they had filed for a new trial. Judge J. Miles Pound continued the cases to March 9 to get a probation report.

On Jan. 25, the jury fixed prison terms of two years for Gover; three years for Mullikin, and one year for Finch. Gover, 115 N. Bayly, was convicted of false arrest. Mullikin, 2580 E. Burnett, and Finch, who lives in Indiana, were convicted of aiding and abetting in the arrest.

Millard D. Grubbs, 1427 S. Sixth, was granted a continuance on his new-trial motion until Feb. 23. His attorney said the 6th U. S. Circuit Court of Appeals, Cincinnati, will hear a plea next Tuesday that the case should have been in

federal court. The U. S. District Court here denied a removal.

A sentence of five years was set by the jury for Grubbs for aiding and abetting the arrest Jan. 14, 1965, of H. A. (Kelly) Lewis, real-estate director for the Urban Renewal Agency.

Paul B. Wright, 1411 Indiana, who was indicted on a charge of false arrest in the case, was given a suspended sentence of a year in jail after he pleaded guilty to an amended charge of assault and battery.

Wright entered his guilty plea at the end of the two-day trial, Jan. 24 and 25. He was put on probation for five years.

The other four men are free under bonds.

(Indicate page, name of newspaper, city and state.)

Page B 1

The Louisville Times
Louisville, Ky

Date: 2-10-66
Edition: Home
Author:
Editor: Barry Bingham
Title:

Character:
or
Classification: 44-643
Submitting Office: Louisville
☐ Being Investigated

b7C

60 FEB 18 1966

RECORDED
191 FEB 17 1966

44-643-200
100-643-200
643-11
2-16-66
H. B. / mm

F B I

Date: 4/7/66

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

TO: DIRECTOR, FBI (44-28247)

FROM: SAC, LOUISVILLE (44-643) (P)

SUBJECT: [REDACTED]
b7C JEFFERSON CIRCUIT COURT -
CRIMINAL BRANCH
LOUISVILLE, KENTUCKY;
ET AL;
MILLARD D. GRUBBS - VICTIM;
ET AL
CIVIL RIGHTS

Re Louisville letter 2/23/66.

b7C On 4/7/66, victim GRUBBS telephonically contacted this office volunteering additional data regarding captioned matter, including information that he has been attempting to get two Congressional Committees (unidentified) interested in hearing the evidence in this matter. One of the committees wrote him asking if he had taken the matter up with the District Attorney in Louisville. GRUBBS responded by advising that at the beginning of instant matter victim GOVER had contacted the USA in Louisville who had advised GOVER to contact SA [REDACTED] of the Louisville Office of the FBI, and that such contact was subsequently made by GRUBBS; that subsequent thereto GRUBBS continued to furnish SA [REDACTED] information on the matter and that SA [REDACTED] had told GRUBBS the information had been furnished to the Civil Rights Division, U.S. Department of Justice, Washington, D.C., and copies of the reports had been furnished the District Attorney, Louisville, Ky.

3-Bureau
2-Louisville
WLW/rar
(5) 131

EX-112

REC-19

44-28247-40

57 APR 14 1966

Approved: _____

Special Agent in Charge

Sent _____

M

Per _____

LS 44-643

On 4/6/66, GRUBBS received a letter from the unidentified committee which advised him to contact the District Attorney in Louisville to verify the District Attorney has received the information in this case; that the committee, unless the matter is an unusual one, cannot involve itself in a matter currently pending in court.

b7C SA [] asked GRUBBS the identity of the committee to which he was referring and he advised that he had indicated to the person with whom he was in contact that he would not disclose the identity. Therefore, GRUBBS said he did not feel he should at this time identify the committee. During the conversation GRUBBS advised [] cases came up in local court in Louisville on 3/9/66 for disposition and that Judge J. MILES POUND issued an order withholding judgment in the cases of GRUBBS' co-defendants and continued GRUBBS' case until 5/6/66.

GRUBBS currently has an action pending in the U.S. Court of Appeals, Cincinnati, appealing an earlier ruling by USDC Judge HENRY L. BROOKS denying GRUBBS' request to remove instant case from local court to Federal court on the grounds defendants will be unable to receive a fair trial in local court. GRUBBS said he has employed Cincinnati, Ohio, attorney WILLIAM G. DAMMERELL, described by GRUBBS as a former District Attorney in Cincinnati, to represent him in his action before the U.S. Court of Appeals and that the court has granted them until 5/2/66 to file briefs.

LHM follows.

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (44-28247)

DATE: 4/12/66

FROM : SAC, LOUISVILLE (44-643) (C)

SUBJECT: b7C

JEFFERSON CIRCUIT COURT -
CRIMINAL BRANCH
LOUISVILLE, KENTUCKY;
ET AL;
MILLARD D. GRUBBS - VICTIM;
ET AL
CIVIL RIGHTS

Re Louisville airtel dated 4/7/66.

Enclosed are original and three copies of Letterhead Memorandum regarding captioned matter.

Copies of enclosed have been disseminated locally to U. S. Attorney, Louisville, Kentucky.

- ② - Bureau (Encl. 4)
- 1 - Louisville
- WLW/bbs
- (3)

REC 20 44-28247-41

1cc: AAG Civil Rights Division

Form 6-94 - G. K. K. K. K.
4-14-66 1cc - CR Unit

11 APR 14 1966

ENCLOSURE



APR 22 1966

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan



In Reply, Please Refer to
File No.

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Louisville, Kentucky

April 12, 1966

b7C

[REDACTED]
JEFFERSON CIRCUIT COURT -
CRIMINAL BRANCH,
LOUISVILLE, KENTUCKY;

[REDACTED]
JEFFERSON COUNTY, KENTUCKY;

[REDACTED]
JEFFERSON COUNTY, KENTUCKY;

[REDACTED]
URBAN RENEWAL AND COMMUNITY
DEVELOPMENT, LOUISVILLE, KENTUCKY;
MILLARD D. GRUBBS - VICTIM;

[REDACTED] - VICTIM;

[REDACTED] - VICTIM;

[REDACTED] - VICTIM;

[REDACTED] - VICTIM

CIVIL RIGHTS

Attention is invited to memoranda concerning captioned matter dated February 25, 1965; March 1, 19 and 31, 1965; April 6 and 12, 1965; May 3 and 10, 1965; June 10, 1965; August 20, 1965; September 7 and 29, 1965; October 12, 21 and 27, 1965; November 18, 1965; December 1, 1965; December 20, 1965; January 7 and 20, 1966; February 4, 1966, and February 23, 1966.

Attached is a copy of a report of interview with Millard D. Grubbs on April 7, 1966.

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44-28247-41

FEDERAL BUREAU OF INVESTIGATION

Date 4/12/66

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MILLARD D. GRUBBS, 1427 S. 6th Street, Louisville, Kentucky, voluntarily telephonically contacted the Louisville Office of the FBI and furnished the following data:

On March 9, 1966, the cases of GRUBBS and his co-defendants JOHN GOVER, WALTER MULLIKIN and JAMES FINCH came before Judge J. MILES POUND in Circuit Court in Louisville for sentencing. At that time, Judge POUND issued an order withholding judgment in the cases of GOVER, MULLIKIN and FINCH and continued the case of GRUBBS until May 6, 1966.

GRUBBS has an action pending in the U. S. Court of Appeals, Cincinnati, Ohio, petitioning that court to overturn an earlier decision by U. S. District Court Judge HENRY L. BROOKS, Louisville, Kentucky, whereby Judge BROOKS denied GRUBBS's plea that the case against himself and co-defendants be removed from local court to Federal Court on the grounds that the defendants could not obtain a fair trial in local court. GRUBBS has employed a Cincinnati, Ohio, attorney, WILLIAM G. DAMMARELL, described by GRUBBS as a former district attorney at Cincinnati, to represent GRUBBS before the U. S. Court of Appeals. GRUBBS said he had not previously been acquainted with attorney DAMMARELL, but that DAMMARELL was recommended by a church group, the Circuit Riders. The Court of Appeals has given GRUBBS until May 2, 1966, to file a brief in connection with his petition.

With respect to the local case in Louisville pending against GRUBBS, GRUBBS has employed Louisville, Kentucky, attorney JACK LOWERY to represent him. GRUBBS has been in contact with 2 Congressional Committees in effort to get them interested in his case and to hear the evidence in the case, either publicly or privately, as GRUBBS is certain that if they will hear the evidence they will know there is a conspiracy existing by a group of people to deprive himself and his co-defendants of their constitutional rights.

On 4/7/66 at Louisville, Kentucky File # LS 44-643

b7C

by SA /bbs Date dictated 4/11/66

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b7C One of the committees wrote GRUBBS sometime back asking if GRUBBS had taken the matter up with the District Attorney in Louisville, Kentucky. GRUBBS responded that initially his co-defendant JOHN GOVER had talked with the District Attorney in Louisville about the matter and that the District Attorney had told GOVER he should contact SA [] of the Louisville Office of the FBI; thereafter GRUBBS contacted Agent [] and advised him of the matter. Further, GRUBBS had subsequent contacts with SA [] advising him of developments in the matter; that SA [] had advised GRUBBS that information GRUBBS had furnished SA [] had been made available to the Civil Rights Division, U. S. Department of Justice, Washington, D. C., and also to the District Attorney in Louisville.

On April 6, 1966, GRUBBS received another letter from the committee in which it was said that GRUBBS should contact the District Attorney in Louisville to verify the District Attorney has received information concerning the case. In the letter it was also stated the committee, unless the matter is an unusual one, cannot involve itself in a matter currently pending in court.

b7C SA [] asked GRUBBS the identity of the committee to which he was referring and he advised that he was not at liberty at this time to disclose the identity of the committee, inasmuch as he had indicated to the person with whom he had been in contact, he would not disclose the name.

GRUBBS advised that he had telephonically contacted the District Attorney's Office in Louisville and was advised that the District Attorney was out of Louisville and would not return until April 11, 1966.

GRUBBS also advised that sometime back, CLARENCE R. DINWIDDIE, age about 86, and DINWIDDIE's wife, age about 80, the condemnation of whose property by Urban Renewal in Louisville was the original action starting instant matter, had written a letter requesting that the appraised value of the property amounting to approximately \$80,784 be paid by Urban Renewal directly to GRUBBS by check in GRUBBS's name. GRUBBS said that DINWIDDIE wanted the matter handled in this manner as he, DINWIDDIE, had told GRUBBS how he wanted the money invested, and DINWIDDIE, because of his failing health, is unable to leave his residence. GRUBBS, however,

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has been unable to obtain possession of the money and Judge DOWNING, who is handling the matter has sent some psychiatrists out to examine CLARENCE DINWIDDIE and is in process of having him declared incompetent and a committee set up to represent his interests. Mrs. DINWIDDIE has indicated she is in agreement with this procedure. GRUBBS said it was hard to understand this as she had previously signed the letter with her husband requesting money be paid to GRUBBS.

GRUBBS expressed the thought that there is a conspiracy to keep CLARENCE DINWIDDIE from getting access to the money directly as DINWIDDIE has long been known to be a strong fighter against Socialism.

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